

URBAN/MUNICIPAL

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1993

AGENDAS / MINUTES OF
THE FINANCE AND
ADMINISTRATION COMMITTEE
MARCH 25, 1993-

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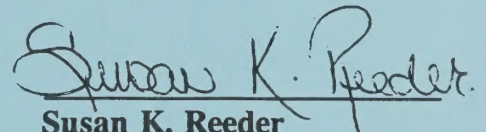


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NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

Thursday, 1993 March 25th
9:30 o'clock a.m.
Room 233, City Hall


Susan K. Reeder
Secretary

AGENDA

1. PRESENTATION

French Sub-Committee - Roger Paquette, Chairperson and Alderman F. D'Amico, Vice Chairperson. (no copy)

2. DELEGATIONS

- (a) Mr. DiCenzo re: Development Charges - Silverton Subdivision. (no copy)
- (b) Evelyn Myrie, Chairperson and Christine Templeton, member, Hamilton Status of Women Sub-Committee - Results of Safety Audit.

3. MAYOR MORROW

1996 Sesquicentennial Committee. (no copy)

4. CONSENT AGENDA

5. DIRECTOR OF CULTURE AND RECREATION

Capital Project Subsidies for Dundurn Castle and Whitehern.

6. **TREASURER**

- (a) Vehicle Replacement - 1993.
- (b) City of Hamilton Banking Arrangements.

7. **GRANTS GRANDFATHER TASK FORCE**

Grant Classifications and Alternative Sources of Funding.

8. **CITY CLERK**

Street Vendors Program.

9. **TAXI ADVISORY COMMITTEE**

Taxi Stands on Rebecca Street.

10. **HAMILTON FARMERS' MARKET SUB-COMMITTEE**

- (a) Temporary Stallholder Signage.
- (b) Directional Signage - Hamilton Farmers' Market.

11. **HAMILTON HISTORICAL BOARD**

Location of Canadian Club Plaque.

12. **IN CAMERA AGENDA**

13. **OTHER BUSINESS**

14. **ADJOURNMENT**

OUTSTANDING ITEMS

FINANCE AND ADMINISTRATION COMMITTEE

<u>ITEM</u>	<u>DATE REQUESTED</u>	<u>ACTION BY</u>	<u>REPORT DUE BY</u>
1. (a) Policy to exempt Parking Authority from realty and business tax. (b) Examine feasibility of directing the net revenue from parking fines into the Reserve Account.	1990 February 23 & 1990 March 22 1990 March 22	Treasurer Treasurer	
2. Rationale of Development Charges on 84 Birmingham Street.	1992 April 9	Building	
3. Proposed policy on display of plaques, posters, memorabilia, etc.	1992 April 23	Property	
4. Additional Proposed Development Charges Amendments.	1992 April 23	Building	
5. Commonwealth Plaza Lighting.	1992 June 25	Property	
6. Report on procedures to be used in regulating the sale of merchandise by charitable and non-profit groups.	1992 December 3	City Clerk	

OUTSTANDING ITEMS

FINANCE AND ADMINISTRATION COMMITTEE

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<u>ITEM</u>	<u>DATE REQUESTED</u>	<u>ACTION BY</u>	<u>REPORT DUE BY</u>
7. Report on overview of all types of licences issued and fees for Committees consideration of rationale.	1992 December 3	City Clerk	1993 June 24 meeting
8. For the 1993 February meeting, a discussion paper will be presented by the Licence Division on a revised Taxicab By-law.	1992 December 3	City Clerk	going first to Tax Advisory Committee
9. City Hall Grounds Study - being reviewed by interest groups for input.	1993 January 21	Arts Co-Ordinator	
10. Report - Partnership Agreements at the Hamilton Farmers' Market.	1993 January 21	City Solicitor	
11. Report - City's continuing role in Non-Profit Housing.	1993 January 21	Chief Administrative Officer	
12. Review of request by Junior Achievement to utilize vacant space at the Kenilworth Avenue Police Station.	1993 February 18	Chief Administrative Office	
13. Report - Ad Hoc Committee on Tobacco Control Policy forwarded from Regional Council.	1993 February 18	City Clerk, Solicitor	

1993 March 25

FINANCE AND ADMINISTRATION COMMITTEE

THURSDAY, 1993 MARCH 25TH

CONSENT AGENDA

A. ADOPTION OF THE MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

Minutes of the meeting held Thursday, 1993 March 4th.

B. CITY SOLICITOR

- (i) Debenture By-law Capital Projects - 1993.
- (ii) By-law to Amend and Consolidate By-law 79-323, being the City of Hamilton Licensing Code.

C. MANAGER OF PURCHASING

- (i) Extension of Purchase Order, Supply and Delivery of Petroleum Products, Various Locations.
- (ii) Supply and Delivery of Safety Boots, Purchasing Stores.

D. TREASURER, DIRECTOR OF INFORMATION SYSTEMS AND DIRECTOR OF TRAFFIC SERVICES

Information Report - Legislated Changes in the Enforcement and Collection Procedures for Parking Violators.

E. CITY CLERK

- (i) Student Night Walk and Rally.
- (ii) Flying of Slovak Flag.
- (iii) Reviewing Stand - Royal Canadian Legion 38th Biennial Convention.
- (iv) Renewal of Xerox Photocopier Contract.
- (v) Hamilton Corporate Challenge.

F. COMMISSIONER OF HUMAN RESOURCES

- (i) Heavy Construction Association of Ontario and the United Brotherhood of Carpenters and Joiners of America, Local 18.
- (ii) Appointments To and Terminations From Permanent Positions with the Corporation of the City of Hamilton to 1993 March 18th.

G. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE

Information Items.

Thursday, 1993 March 4
9:30 o'clock a.m.
Room 233, City Hall

The Finance and Administration Committee met.

There were present: Alderman D. Ross, Chairperson
Alderman B. Charters, Vice-Chairperson
Alderman T. Anderson
Alderman V. Agro
Alderman D. Drury
Alderman G. Copps
Alderman T. Cooke
Alderman D. Agostino

A.

Regrets: Mayor Robert M. Morrow - Bereavement

Also present: Alderman W. McCulloch
Alderman D. Wilson
Alderman F. Eisenberger
Alderman T. Jackson
Alderman H. Merling
J. Pavelka, Chief Administrative Officer
J. Schatz, City Clerk
S. Dembe, Manager of Licensing
D. Rose, Licensing Division
R. Sabo, Law Department
P. Noé Johnson, City Solicitor
D. Kilpatrick, Hamilton Public Library
P. Barkwell, Law Department
J. Hindson, Director of Information Systems
G. Aston, Director, Programming and Development,
Transportation Services Department, Transportation/Environmental
Services Group
C. Unelli, Development Co-ordinator (Environmental), Road
Development, Transportation Services Department,
Transportation/Environmental Services Group
E. Chajka, Manager, Road Development, Transportation Services
Department, Transportation/Environmental Services Group
T. Gill, Senior Director, Transportation Services Department,
Transportation/Environmental Services Group
K. Beattie, Grants Co-Ordinator, Treasury Department
S. Glover, Secretary, Licensing Committee
S. Reeder, Secretary

A G E N D A

9:15 O'CLOCK A.M.

1. RECONVENED COURT OF REVISION

Note: The Finance and Administration Committee acts as the Court of Revision and conducted a Reconvened Session. A separate set of minutes was recorded for this Court of Revision.

2. SCHOOL TRANSPORTATION

The Committee was in receipt of an Information Report from the City Clerk dated 1993 February 26, respecting Transportation Services. The City Clerk spoke to the Committee with respect to the history of the School Transportation Issue. The Manager of Licensing also briefly spoke to this matter.

The Committee was in receipt of a report from the Secretary of the City of Hamilton Licensing Committee dated 1993 February 19, respecting Private Transportation Services. The Committee was also in receipt of a report from the Secretary of the Taxi Advisory Committee dated 1993 February 19, respecting School Transportation.

Numerous Delegations were in attendance and spoke to the Committee as follows:

(a) **The Board of Education for the City of Hamilton**

Marion Lowe, Trustee for the Board of Education was in attendance and spoke to the Committee and indicated that the Board does not wish to see any changes made that would detrimentally affect the students. She advised that presently 146 Taxis are used for 729 children's transportation. She stressed that therefore the Board uses 63% of the total Taxis currently licensed by the City of Hamilton. She added that 60 vans are used to transport 295 children and that this transportation is distributed amongst 4 Companies. Ms. Lowe also indicated that special needs children are not just in wheelchairs but that they also have special needs which cannot be visibly seen such as behavioral disabilities. She added that vans suit the needs of these children as they become accustomed to the same-van driver which is very important for these children. She added that they have attempted to be fair in their hiring for these vans and will continue to do so.

Margaret Cunningham, Chairman of the Board of Trustees for the Hamilton Board of Education was also in attendance and spoke to the Committee with respect to the School Transportation Issue. She indicated that it is her intent to recommend to the Board that the present practice of School Transportation should be continued. She indicated that if the Ministry of Education makes any policy changes with respect to transportation that of course the Hamilton Board of Education will be obliged to follow through and if that occurs, the Board will advise the City accordingly.

Mr. Paul Shewfelt, Superintendent of Finance and Treasurer was also in attendance and responded to questions.

Questions then ensued by members of the Committee with respect to the Hamilton Board of Education's presentation. It was clarified by Marion Lowe that Sue Wilson, Director of Operations for the Hamilton Board of Education feels that the Transportation Companies they presently use for their students meet the standards of safety and quality required. Mr. Paul Shewfelt indicated that the carriers they now use are Attridge, Laidlaw, Caledonia, and Verma. It was indicated that Verma is the newest carrier and that while Verma have been recently hired by the Board, the business has now been distributed amongst 4 Companies, rather than 3, and therefore spread out.

Marion Lowe, Trustee, indicated that the Board would be devastated if they had to solely use Taxis and could not use the carriers they now use. It was also indicated that the Board of Education could have gone for Tender for the School Transportation but choose to be fair and spread the business amongst the carriers in the business. It was clarified that there is no intention by the Board to take away from the Taxi Industry.

(b) **The Hamilton-Wentworth Roman Catholic Separate School Board**

Tony Davidson, Treasurer and B. D' Alefio, Supervisor, Transportation were in attendance at the meeting. Mr. Davidson spoke briefly to the Committee with respect to the Separate School Board's concern that the safety of children is paramount.

- (c) Mike Anderer, 440 Quigley Road - Member of the Taxi Advisory Committee and also representing himself as a Taxi Driver

Mr. Anderer spoke to the Committee and indicated that this issue has arisen because of the abuse by Verma Transport. He gave reference to the decision made with respect to deleting the "C" Livery Licences and indicated that he feels that further abuse will occur if the submitted recommendation from the Licencing Committee is approved. He stated that Taxis can meet the special needs of children. He also indicated that Taxi Drivers earn not much more than minimum wages and that taxis are subject to a number of regulations and thus are safe transportation for children.

- (d) Peter Eldridge, Hamilton Taxi Industry.

Mr. Eldridge referred to the Ministry of Transportation's conditions with public vehicles licences, and that these plates are not to infringe on the local Taxi Industry and he expressed concern that this is exactly what is happening. Mr. Eldridge gave reference to the history of the beginnings of DARTS and its effect on the Taxi Industry and that the Taxi Industry did not object at the time, but that now a third of a million trips a year are done by DARTS. He indicated that he wants a written guarantee from the Board(s) of Education that the present 60% to 63% allocation to the Taxi Industry of School Transportation will not be affected and stressed that he is not willing to accept a verbal promise from the Board(s). He requested that another meeting be held with the Board(s) in order to get this promise in writing.

- (e) Bob Bourke, Main Street East, Member of the Taxi Advisory Committee

Mr. Bourke indicated that Taxis are regulated and safe and that he has driven special needs children in the past. He also added that the Taxi Industry has wheelchair accessible vans. He indicated that he is a 15 year driver and fears the repercussions of Transport Carriers getting involved in the School Transportation business by way of Public Vehicle Licences. He summed up by indicating that he wants the City's By-law adhered to and does not want to see Carriers transporting school children.

- (f) Ray Harris, Lawyer, 92 King Street East

Mr. Harris indicated that he was present as the legal representative of Verma Transport. Mr. Harris referred to the Licencing Committee's view that it should not affect the market place and free enterprise. Mr. Harris indicates that he sees this as an issue of competitiveness within an Industry and stressed that Governments should not legislate exclusivity and if they did that they would be seen as an advocate to a special interest group. He summed up by indicating that Mr. Verma is simply asking for a level playing field to compete for business.

- (g) George Hutchinson, Representative of the Taxi Advisory Committee, 201 Stewarddale.

Mr. Hutchinson indicated that he feels that the Class "C" Livery licences are being brought back via Public Vehicles licensing. He indicated that he feels that School Transportation should be by vehicles 10 seats or greater and that anything less is considered a Taxi.

- (h) Michael Graham, Lawyer, 60 Commerce Valley Drive, Markham; Alan Norton, Laidlaw Transit, 5401 Dundas Street, Burlington and Harry Sloat, Caledonia Transportation, 6 Hickory Beach, Nanticoke

The above noted persons indicated that their Public Vehicle Licences require a regular 6 month inspection done on all vehicles operating with a PV Licence, as well as random inspections by the Ministry of Transport. They also indicated that Public Vehicle Licences are subject to proof before the Ministry of Transportation that the service is required by the Community and thus the opening of flood gates will not happen. They indicated that Board(s) of Education should be free to hire Carriers of their choice and that Public interest requires that these options exist.

- (i) Craig Cutten, Sales, Manager, Blue Line Taxi, 160 John Street South

Mr. Cutten spoke to the Committee and indicated that most Transportation Carriers are from out of Town and thus not rate-payers to the City of Hamilton. He indicated that Verma Transport has taken away Taxi business from the City of Hamilton. He added that Public Vehicles Licences were designed for special trips outside of City boundaries. Mr. Cutten also outlined that the cost of obtaining a Public Vehicle Licence is \$250. with no renewal cost. He made a comparison that a City of Hamilton Taxi Licence cost is \$3,480.; renewal of the Licence is \$210.; and renewal of the Taxi Driver's Licence is \$50. He stressed that these Public Vehicle Licences are taking over the City's Taxi business with cheaper licences, i.e. PV Licences.

- (j) Bob Esselment, General Manager, Veteran's Taxi and a Member of the Taxi Advisory Committee, 281 Cranbrook Drive.

Mr. Esselment spoke to the Committee with respect to the history of the School Transportation issue and the history of the Class "C" Livery Licence issue and expressed his concerns at this erosion to the Taxi Industry.

- (k) Glen Attridge, Attridge Transport, 27 Mill Street South, Waterdown

Mr. Attridge indicated that PV Licences can be used for intercity trips.

Alderman Drury, Chairperson, Taxi Advisory Committee outlined the history of the Taxi issue, the School Transportation issue and discussions at the Taxi Advisory Committee.

Alderman Cooke, Chairperson, Licencing Committee, outlined the discussions which ensued at the Licencing Committee.

A considerable amount of discussion then ensued on this matter by members of the Committee and consideration was given to the report of the City of Hamilton Licencing Committee recommendations dated 1993 February 19.

The following motion was moved and seconded:

- (a) That in accordance with recommendation 14(a)(v)(2) of the Twenty-Fourth Report of the Finance and Administration Committee, adopted by City Council on December 8, 1992, all Transportation Companies involved in the transportation of students for either of the Board(s) of Education and which hold Public Vehicle Licences be exempted from regulation under the Taxi-Cab By-law.

LOST ON A RECORDED TIE-VOTE.

RECORDED VOTE:

YAYS: Alderman Ross, Anderson, Cooke, Charters

NAYS: Alderman Agro, Drury, Agostino, Copps

Note: In accordance with City Council Policy the following negative recommendation was referred to City Council for consideration:

"That, in accordance with Recommendation 14 (a)(v)(2) of the Twenty-fourth Report of the Finance and Administration Committee, adopted by City Council on 1992 December 8, all transportation companies involved in the transportation of students for either of the Boards of Education and which hold Public Vehicle Licences not be exempted from regulation under the Taxicab By-law.

THE ABOVE NOTED MATTER WAS LOST ON A TIE VOTE AT THE FINANCE AND ADMINISTRATION COMMITTEE, AND IN ACCORDANCE WITH ESTABLISHED POLICY IS NOW BEING SUBMITTED TO CITY COUNCIL FOR CONSIDERATION AND DISPOSITION."

The following recommendation of the City of Hamilton Licencing Committee was moved and seconded:

- (b) That Companies involved in the transportation of Nursery School Children, Disabled Children and Adults and persons with special needs as determined by a hospital, also be exempted from regulation under the Taxicab By-law.

LOST ON A RECORDED TIE VOTE.

RECORDED VOTE:

YAYS: Alderman Ross, Anderson, Cooke, Charters

NAYS: Alderman Agro, Drury, Agostino, Copps

In place of Section (b), as above-noted, the following motion was moved, seconded and unanimously carried.

"That the Law Department in consultation with the Board(s) of Education, the Taxi Industry, the Disability Groups and the Public develop a By-law that allows for the licencing of individuals within the City of Hamilton based upon disabilities/special needs."

Note: As the above-noted motion which unanimously was approved is a staff direction, this matter was not referred to City Council.

The Committee had before it a further recommendation from the City of Hamilton Licencing Committee dated 1993 February 19, as follows:

- (c) That staff be directed to immediately contact the Ministry of Transportation of Ontario to ensure that any Public Vehicle Licences presently being operated in the transport of any of the classes of contract referred to above be assessed immediately to ensure that they comply with the terms and conditions under which they were issued.

Note: No motion was placed on this Licencing Committee recommendation and thus this recommendation was not considered.

The following motion was moved and seconded:

"That the Chief Administrative Officer report back to the Committee with recommendations on the handling of repercussions that will arise in implementing a By-law to not exempt Transportation Companies involved in the transportation of students for either of the Board(s) of Education who hold Public Vehicle Licences."

MOTION LOST ON A RECORDED TIE VOTE.

RECORDED VOTE:

YAYS: Alderman Agro, Drury, Agostino, Copps

NAYS: Alderman Anderson, Ross, Cooke, Charters

The Committee also had before it a recommendation from the Taxi Advisory Committee dated 1993 February 19, which read as follows:

"That the necessary steps be taken to immediately enforce the provisions of the Taxicab and Livery By-laws of the City of Hamilton in order that any carriers of school children within the boundaries of the City of Hamilton who fail to comply therewith be immediately charged with such offenses as defined in Schedules 4 and 4A of Licensing By-law 79-323, as amended."

Note: No motion was placed on this recommendation from the Taxi Advisory Committee and thus no action was taken on this matter.

3. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda and approved the following:

A. ADOPTION OF THE MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the minutes of its regular meeting held Thursday, 1993 February 18th and its special meeting held Tuesday, 1993 February 23rd and approved these minutes as circulated.

B. MANAGER OF PURCHASING

(i) Renewal of Security Services Contract for City Hall.

The Committee was in receipt of a report from the Manager of Purchasing dated 1993 February 25, respecting the above noted matter and approved the following:

That the City exercise its option to extend to 1994 March 31, the purchase order issued to Burns International Security Services Limited, Hamilton, to provide security services for City Hall, originally approved by Council 1992 January 28.

(ii) Replacement of one 35,000 GVW Chassis with Tar Distributor, Unit 9699, Fleet Services.

The Committee was in receipt of a report from the Manager of Purchasing dated 1993 February 25, respecting the above noted matter and approved the following:

That a purchase order be issued to Amaco Construction Equipment Inc., Mississauga, in the amount of \$89,458.85 including all applicable taxes and trade-in, for the replacement of One 35,000 GVW Chassis with Tar Distributor, Unit 9699, for Fleet Services being the lowest of three tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be financed through Reserve for Replacement of Mobile Equipment Account No. CH5X503 00101.

C. TREASURER

(i) Funding - City's Share of Servicing - "Wisemount Estates - Phase 2".

The Committee was in receipt of a report from the Treasurer dated 1993 February 24, respecting the above noted matter and approved the following:

That as referred to in Section 45 of the Third Report for 1993 of the Transport and Environment Committee, the City's share of "Wisemount Estates - Phase 2" Servicing, at a cost of \$132,006.40, be financed from Centre No. CH 00107 - "Reserve for Services through Unsubdivided Lands".

(ii) Information - Distinguished Budget Presentation Award - the City of Hamilton for 1992.

The Committee was in receipt of an Information Report from the Treasurer dated 1993 February 23, respecting the above noted matter and agreed to receive this document for information purposes.

D. CITY CLERK

(i) Use of City Hall Forecourt - Candlelight Vigil - Women's Centre - Women in Bosnia Herzegovine.

The Committee was in receipt of a report from the City Clerk dated 1993 February 25, respecting the above noted matter and approved the following:

That the Women's Centre of Hamilton-Wentworth be granted permission to use the forecourt and related equipment on Sunday, 1993 March 7 at 7:00 p.m. for a Candlelight Vigil in support of the Women in Bosnia-Herzegovine.

(ii) Flying a Flag - Easter Seal Campaign.

The Committee was in receipt of a report from the City Clerk dated 1993 February 25, respecting the above noted matter and approved the following:

- (a) That approval be given to the action taken by the City Clerk in authorizing the Easter Seal Flag to be flown at City Hall during the month of 1993 March - Easter Seal Month; and,
- (b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.

(iii) Use of Council Chambers - Mayor's Race Relations Committee.

The Committee was in receipt of a report from the City Clerk dated 1993 February 25, respecting the above noted matter and approved the following:

That approval be given to the request of the Mayor's Race Relations Committee to use the Council Chamber and Council Chamber annex on Wednesday, 1993 March 17 at 7:30 p.m. to host a Public Meeting and Reception on the occasion of a visit to Ontario by Race Relations Personnel from London, England.

(iv) Use of the City Hall Forecourt - Vintage Auto Sprints at Christie.

The Committee was in receipt of a report from the City Clerk dated 1993 February 25, respecting the above noted matter and approved the following:

- (a) That permission be granted to the Vintage Auto Sprints at Christie Inc. to use the City Hall forecourt on Friday, 1993 August 20 from 3:30 p.m. - 6:30 p.m. for a Display of Vintage Race Cars; and,
- (b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.

E. DIRECTOR OF PROPERTY - Strip of Surplus Land - 8.5' x 77' adjacent to the Church of the Good Shepherd, 480-490 Melvin Avenue.

The Committee was in receipt of a report from the Director of Property dated 1993 February 25, respecting the above noted matter and approved the following:

- (a) That the City Quit Claim to the Synod of the Diocese of Niagara of the Anglican Church a vacant parcel of land situated in the City of Hamilton, being composed of part of Lot 30, Concession 2, formerly in the Township of Saltfleet, being part of Block E, Registered Plan 865, as shown in heavy outline on Survey Plan as compiled by Guido Consoli, Ontario Land Surveyor, having a frontage on Melvin Avenue of 2.591 metres (8.5 feet) more or less, and a depth of 23.46 metres (77.0 feet) more or less, and containing an area of 60.80 square metres (654.5 square feet) more or less, be approved and completed, and the funds derived from this transfer of \$1. be credited to Account No. CH 4X999 00102 (Reserve for Property Purchases - Other Revenue); and,
- (b) That the Mayor and City Clerk be authorized to execute the document in a form satisfactory to the City Solicitor.

F. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items.

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee dated 1993 March 1, respecting Information Items. The Committee approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

- (a) Metropolitan Toronto - Response to the City of Vaughn's Resolution respecting Surplus Municipal Campaign Funds - dated 1993 February 8.
- (b) Correspondence - Ms. Elizabeth Savelli - Opposition to the Status of Women's Vote on a Pro-choice Position - dated 1993 January 25.
- (c) Minutes - Hamilton Farmers' Market Sub-Committee meeting of 1993 January 13.
- (d) Minutes - Taxi Advisory Committee meeting held 1993 January 19.
- (e) Information Report - City Solicitor - Judicial Decision - Taxi Cab Owner's License Denial - dated 1993 February 23.

G. TAXI ADVISORY COMMITTEE - Membership Appointment.

The Committee was in receipt of a report from the Secretary of the Taxi Advisory Committee dated 1993 February 23, and approved the following:

That Mary Sinclair be appointed to replace Tony Aquilina as a citizen representative to the Taxi Advisory Committee for a term to expire 1994 November 30.

11:30 O'CLOCK A.M.

9. IN CAMERA AGENDA

The Committee agreed to move In-Camera to discuss matters of a Private and Confidential nature.

The Committee then moved back into Regular Session.

4. DIRECTOR OF INFORMATION SYSTEMS - Bell Canada Rate Increase.

The Committee was in receipt of a report from the Director of Information Systems dated 1993 February 17, respecting the above noted matter.

Alderman Agostino spoke to this issue. The Committee then agreed to receive this material and presentation for information purposes.

Note: Alderman Agostino opposed.

5. CHIEF ADMINISTRATIVE OFFICER

(a) Merging Fleet Services Functions.

The Committee was in receipt of a report from the Chief Administrative Officer dated 1993 February 24, respecting the above noted matter.

The Chief Administrative Officer indicated that this recommendation had also been presented to the Transport and Environment Committee and that an amendment had been made to the recommendation to indicate that consideration should be given to this merger.

The Committee then approved the following recommendation with the above noted amendment:

- (a) That the City Garage Function presently in the Treasury Department be considered to be merged with the Fleet Services Division in the Public Works Department; and,
- (b) That the Chief Administrative Officer and the Director of Public Works report back to the Transport and Environment Committee and the Finance and Administration Committee with a recommendation on the organizational structure.

(b) Information - Windermere Basin Rehabilitation Project Status Update. (previously tabled)

Alderman Merling was in attendance and spoke to this matter and expressed concerns that this Item should properly be before the Transport and Environment Committee. Some discussion ensued with respect to this matter and it was agreed that this report would be referred to the Transport and Environment Committee for consideration.

6. JOINT INFORMATION REPORT - CHIEF ADMINISTRATIVE OFFICER, DIRECTOR OF PROPERTY AND TREASURER - \$225,000. Loan to Theatre Terra Nova/Theatre Focus - Mortgaged Property - 177 Sherman Avenue North.

The Committee was in receipt of the above noted report dated 1993 February 24, and agreed to table this report to the next meeting.

7. MAYOR MORROW - Purchase of Advertising in the Kinsmen Magazine.

The Committee was in receipt of a memorandum from the Mayor dated 1993 January 18, respecting the above noted matter.

The Committee agreed to approve the following:

That the City of Hamilton purchase a "Message-of-Support" advertisement for 1/12th page at a cost of \$235. in the Kinsmen Magazine complimenting Kinsmen and Kinettes on their service to our community. This cost to be charged to Account No. CH56302-12001.

Note: Alderman Copps opposed.

8. RESOLUTIONS

- (a) City of Peterborough - Amendments to the Criminal Code for the Indefinite Imprisonment of any Person deemed to be an Habitual Violent Sexual Offender and Sexual Predator.

The Committee was in receipt of correspondence from the City of Peterborough dated 1993 February 4, respecting the above noted matter.

The Committee approved the following:

That the following resolution from the City of Peterborough respecting Habitual Criminals, be received:

"THAT Council endorse the recommendations made by the Coroners Jury in the Christopher Stephenson case;

AND THAT the Solicitor General of Canada and the Attorney General of Ontario, be requested to give consideration to the amending of the Criminal Code to provide for the indefinite imprisonment of any person deemed to be an habitual violent sexual offender and sexual predator;

AND THAT this resolution be circulated to the Solicitor General of Canada, Doug Lewis; the Attorney General of Ontario, Howard Hampton; Mr. Bill Domm, M.P., Peterborough; Mrs. Jenny Carter, M.P.P., Peterborough; the Association of Municipalities of Ontario (A.M.O.) and to all municipalities having a population of 50,000 or more, for their endorsement."

- (b) City of Vaughan - Establishment of a Commission to consider Changes required to reform the Education System in Ontario and recommended Subjects for inclusion in the Terms of Reference.

The Committee was in receipt of correspondence from the City of Vaughan dated 1993 February 18, respecting the above noted matter and approved the following:

That the following resolution from the City of Vaughan respecting Changes to the Educational System, be received:

WHEREAS the Province of Ontario through the Ministry of Education is considering the creation of a Commission to consider changes to the Education System in Ontario;

AND WHEREAS the Terms of Reference for the Commission are yet to be defined;

AND WHEREAS there is a need for public consultation on the issues facing the Education System;

AND WHEREAS five possible areas of study include Financing, Organization, Curriculum, Teacher Training, and Special Education;

AND WHEREAS more than 60 percent of Ontario Residential Property Taxes goes to various School Boards;

AND WHEREAS the issue of financing is being examined by the Fair Tax Commission;

AND WHEREAS the issue of organization encompasses the number of School Boards in Ontario and the number of Trustees;

NOW THEREFORE the Council of The Corporation of the City of Vaughan resolves as follows:

THAT the Premier of Ontario and the Minister of Education be urged to establish a Commission to consider the changes required to reform the Education System in Ontario;

AND THAT the Minister be strongly urged to include in the Commission's Terms of Reference the important issues of financing and organization;

AND THAT the Minister be advised that the Terms of Reference for the review of financing should provide for the review of the proportion of funding of School Boards and the collection thereof;

AND THAT the Minister be advised that the Terms of Reference for the review of organization should provide for the review and possible reduction in the number of School Boards and Trustees in the Province;

AND THAT this Resolution be circulated to all Municipalities in Ontario having populations of over 100,000 for their endorsement.

ADDED - Grants Co-Ordinator - 1993 Non-Compliant Grant Applications

The Committee was in receipt of an added report from the Grants Co-Ordinator dated 1993 March 4, indicating that the Grants Process Group respectfully recommends:

"That the Grant Process Group be authorized to contact those 1993 General applicants, as outlined on an attachment, whose application does not comply with the General Grants policy and therefore will not be processed."

Some discussion ensued with respect to this matter, and the Committee agreed that all of the applications should be processed and the illegibility of these applications will be determined when the Committee of the Whole reviews these applications.

The Committee then moved into an In-Camera Session to discuss further matters of a Private and Confidential nature.

The Committee then moved back into Regular Session and there being no further business the meeting then adjourned.

Taken as read and approved,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1993 March 4**

CITY OF HAMILTON
- RECOMMENDATION -

B(i)

DATE: 1993 March 3

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

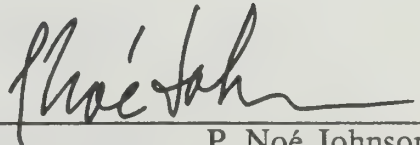
FROM: P. Noé Johnson
City Solicitor

MAR 4 1993

SUBJECT: Debenture By-law - Capital Projects - 1993

RECOMMENDATION:

That the attached By-law be enacted by City Council.


P. Noé Johnson

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

On January 29, 1993 City Council in adopting Item 1 of the Second Report of the Committee of the Whole authorized the Capital Budget for 1993 and further authorized the City Solicitor to prepare this By-law to formally approve the projects.

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Authorize

1993 DEBENTURE PROJECTS AND AMOUNTS

WHEREAS Ontario Regulation 710/92 enacted under the authority of the Municipal Act, R.S.O. 1990, Chapter M.45, establishes a limit for a municipality's debt obligations which do not require the approval of the Ontario Municipal Board;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 1 of the Second Report of the Committee of the Whole on January 29, 1993 authorized the projects appearing in Schedule "A" to this By-law;

AND WHEREAS the financial commitments, liabilities and debt charges of the projects listed in Schedule "A" and The Corporation of the City of Hamilton's other debts and debt charges will not exceed the City's debt limit as specified by the Municipal Act and Regulation 710/92;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The projects listed in Schedule "A" attach to and form part of this By-law and are hereby approved.
2. The City Treasurer is authorized to arrange the issuance of the necessary debentures to a maximum of \$5,103,000.00 for a term not to exceed twenty years by The Regional Municipality of Hamilton-Wentworth and chargeable to the City.
3. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to this By-law.

PASSED this day of , 1993.

City Clerk

Mayor

SCHEDULE "A" TO BY-LAW 93-

<u>Project</u>	<u>Gross Cost</u>	<u>Receipts & Subsidies</u>	<u>Debenture Amount</u>	<u>Term of Debenture</u>
1) Major Maintenance to Civic Buildings	\$ 350,000	--	\$ 350,000	20 years
2) 1993 Roadways and Sidewalks Reconstruction Program - Local Roads	<u>\$7,000,000</u>	<u>\$2,247,000</u>	<u>\$4,753,000</u>	20 years
	<u>\$7,350,000</u>	<u>\$2,247,000</u>	<u>\$5,103,000</u>	

CITY OF HAMILTON
- RECOMMENDATION -

B (ii)

MAR 18 1993

DATE: 1993 March 18

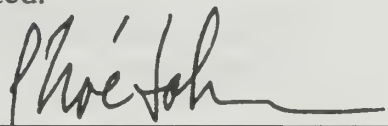
REPORT TO: S.K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

MAR 18 1993

SUBJECT: By-law to Amend and Consolidate By-law 79-323, being
the **City of Hamilton Licensing Code**

RECOMMENDATION: That the attached by-law be enacted.



P. Noé Johnson

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: See below.

BACKGROUND: In 1979 the City enacted By-law 79-323 to combine previous licensing By-law 73-342 and its amendments. The by-law was named "The City of Hamilton Licensing Code, 1979", and has been extensively amended since then. The Report of the Comprehensive Audit of the Licence Division, approved by Council on June 25, 1991, recommended that a regular consolidation be completed.

DISCUSSION: By-law 79-323 has been amended many times each year. Each amending By-law either replaces or adds to the Code. This has made the use of the Code complicated and confusing for staff, the public and the courts. The proposed By-law consolidates remaining provisions of the licence by-law and the changes/corrections outlined below. Spelling errors are corrected and the language made clearer. Changes in provincial laws have required other revisions. A computer copy of the new By-law will be available to staff and can be readily be updated as amendments are enacted.

Schedules 4 (*Taxi*) and 4a (*Livery Vehicles*) were consolidated in June 1992 in By-law 92-172 as referenced in the consolidation.

In addition to the above, Staff have recommended changes to reflect present practise and current requirements. These include:

- a) Clarification of the term, expiry, transfer and return of licences in sections 6 and 11 of the by-law. These were confusing and difficult to apply;
- b) Repeal of s. 9 of the by-law, (applications by partnerships). Unnecessary, and prevented the collection of information;

c) Repeal of s. 16 of the by-law, and Schedules 33 through 38, (trade licensing - Regional since 1988);

d) Incorporating By-law 78-224, (est. Licence Committee). The Comprehensive Audit of the Licence Division recommended that any conflict with the Statutory Powers and Procedures Act, be corrected. By-law 78-224 is a repetition of an older version of the Act. The Licence Committee is maintained under s. 19 of the consolidated By-law.

e) Amend **Schedule 3** (*Retail Butchers and Fish Mongers*) to allow licensing of vehicles and temporary locations. In recent years persons selling uncooked fish and meat from vehicles were incorrectly licensed as refreshment vehicles. This corrects the problem and still allows enforcement of health regulations. There is a small loss of fees because of the provincial limits for meat and fish shops;

f) Repeal of **Schedule 12** (*Non-Resident Produce Wholesalers*). No applicable licences were issued for several years.

g) Amend **Schedule 15** (*Public Halls and Certain Places of Amusement*) to specify the hours of operation and definition of bingo halls; to limit licences fees for exhibitions and circuses at the provincial maximum; and to clarify amusement machine licences are required with 4 or more machines;

h) Amend **Schedule 23** (*Pet Shops*) which required photographs of the interior of the shop. A photograph would no evidence any problems. Inspections will be made instead;

i) Amend **Schedule 28** (*Lodging Homes*) to include second level lodging homes and remove other homes now regulated by the province. Second level lodging homes are still dealt with in By-law 80-259, but the change will clarify administration of licensing and licence hearings;

j) Add **Schedules 44 and 45** for, respectively, *forms and licence fees*. With separate Schedules, the information and future amendments will be simpler;

k) New **Section 21** (severable clause) to ensure that where any one section is declared invalid by the Courts, the rest of the By-law remains in force.

The attached by-law is an example of an interdepartmental Project of Continuous Improvement. Staff experience and public input will be used to improve effectiveness, remove unnecessary regulation, and apply current standards to the problems created by licensed businesses. The Continuous Improvement Team will be reporting back to the departments and Council on their progress.

CITY OF HAMILTON
- RECOMMENDATION -

MA C. (i)

DATE: 1993 March 2

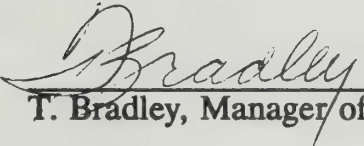
REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. T. Bradley
Manager of Purchasing

SUBJECT: Extension of Purchase Order, Supply and Delivery of
Petroleum Products, Various Locations

RECOMMENDATION:

That the City exercise its option to extend to April 30, 1994 the purchase order issued to Imperial Oil Limited, Willowdale, for the supply and delivery of Petroleum Products to various locations.


T. Bradley, Manager of Purchasing

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Tender analysis of the four lowest proposals received, based on combined estimated twelve month usage for both the City and Region and various members of the Co-operative Purchasing Group.

	<u>Original Tendered Price</u>	<u>Price Firm For</u>
Imperial Oil Limited, Willowdale	\$239,593	Six months
Safety Kleen, Breslube Division, Breslau	257,298	Thirty days
Shell Canada Inc., North York	267,188	Six months
Petro-Canada Inc., North York	280,219	Six months

Originally approved by Council April 14, 1992. Imperial Oil have confirmed that they do not anticipate any additional price increases for the balance of 1993. The first increase was effective January 1, 1993 which was a condition submitted in their original tender. When added to their tendered price they were still low bidder.

C. (11)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 4

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

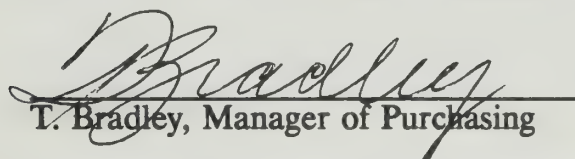
FROM: Mr. T. Bradley
Manager of Purchasing

SUBJECT: Supply and delivery of Safety Boots, Purchasing Stores

MAR 11 1993

RECOMMENDATION:

That a purchase order be issued to Emille Shoes Ltd., Burlington, to supply and delivery safety boots as and when required during 1993 to Purchasing Stores, being the lowest of eight tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be financed through Purchasing Stores Inventory Account No. CH56103 28999.


T. Bradley, Manager of Purchasing

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
N/A

BACKGROUND: Tender analysis

	<u>8" Insulated Safety Boot</u>	<u>10" Winter Safety Boot</u>
Emille Shoes Ltd., Burlington	\$ 61.98	\$ 32.81
Lawlor Safety, Hamilton	63.40	35.85
ISECO, Mississauga	68.20	46.75
Gabriele Importing Limited, Hamilton	69.66	39.01
McCordick Glove, Cambridge	70.60	69.55
Collins Safety, Stoney Creek	72.50	43.00
Arkon Safety, Scarborough	75.50	40.44
Shoe King, Hamilton	76.50	43.00

GST and PST are extra to the unit prices shown. Estimated expenditure during 1993 \$73,500.

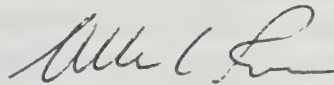
CITY OF HAMILTON
- INFORMATION -

D.

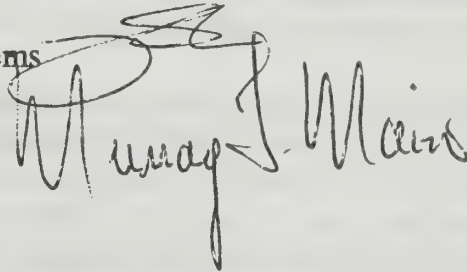
DATE: 1993 March 17

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer



J. G. Hindson, P.Eng.
Director of Information Systems



M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT: Legislated Changes in the Enforcement and
Collection Procedures for Parking Violations

BACKGROUND:

Effective September 1989, the Province passed the Provincial Offences Act-Part II which legislated procedural changes to the method under which municipalities issued parking infraction notices and the enforcement and collection of fines provided under municipal by-laws. The major benefit of the legislation was the implementation of a plate denial system whereby the vehicle owner would not be allowed to obtain an annual licence renewal until all outstanding parking infractions were paid.

The Province has now passed new legislation amending the current Provincial Offences Act under Bill 25 and have announced an expected implementation date later in 1993. Bill 25 will require all municipalities to send written notification to the registered owners of vehicles where a parking violation tag has been issued but remains unpaid after 15 days. The rationale for this requirement is to protect the vehicle owner who may be unaware that there is an outstanding violation and to inform the vehicle owner of the consequences should payment not be made to the municipality.

BACKGROUND: - Continued

The required changes will lead to municipalities incurring additional costs in forms, postage and potentially data input costs; however the Province is projecting an increase in payments directly to municipalities of approximately 30% for which revenues are now delayed pending submission and follow up at the court level. This could result in increased interest earnings for the municipality due to the earlier receipt of funds. Provision is also being made for an administrative fee to be charged by municipalities on any fines which proceed to court. The overall financial impact of the new system on the City can not be determined at this time pending completion of necessary system changes.

Should the City not comply with the deadline for implementing this legislation, it would be unable to submit unpaid parking violations to the Provincial Court for processing and collection. At the present time the Court collects approximately \$1,200,000.00 annually for the City of Hamilton. In addition, direct parking violations collections by the City could be more difficult if the necessary changes are not in place by the effective date.

In order to comply with the legislation, revisions will be required to the present automated parking violation on-line system. It has been estimated that to make the required modifications it will take approximately one month of systems analyst time and two months of programming time some of which may be concurrent.

The Information Systems Department at present has all its staff resources fully allocated to other projects. In order to meet the projected implementation date it will be necessary to either obtain additional contract programming resources or assign staff resources from the Property Tax Project to the work on the modifications to the Parking Violation system. If this reassignment occurs, it is projected that this will extend the completion of the Property Tax Project a minimum of three months.

Staff are providing this report in order to advise Committee of the necessary changes to reflect the new requirements, and the potential effects upon Information Systems staffing and resources. Should any additional relevant information become available in the future, it will be reported to Committee.

TWD:jc

c.c. Mr. J. G. Hindson, P.Eng., Director of Information Systems
Mr. M. F. Main, P. Eng., Director of Traffic Services

CITY OF HAMILTON
- RECOMMENDATION -

E. (i)

DATE: 1993 March 12

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: Student Night Walk and Rally

MAR 12 1993

RECOMMENDATION:

- (a) That approval be given to KNightwatch, a Hamilton District Christian High School student group, to use the forecourt on Thursday, 1993 May 20 from 7:00 - 9:30 p.m. for a night walk and rally against violence against women and children.
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

KNightwatch is a Hamilton District Christian High School student group whose focus is to stop the violence against women and children. The group attempts to do this through education and awareness in the school and in the Hamilton community.

KNightwatch is proposing to use the Hamilton City Hall forecourt on the evening of May 12th in conjunction with Ancaster High School, Parkside Highschool (Dundas) and Sir Allan MacNab High School to hold a rally and commence a night walk. Several inspirational and educational speakers will speak on the topic of stopping violence against women and children.

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Information Desk
File

E. (ii)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 9

MAR 12 1993

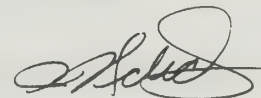
REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Flying of Slovak Flag

RECOMMENDATION:

- (a) That approval be given by the action taken by the City Clerk in authorizing the Slovak flag to be flown at City Hall on 1993 March 13 and 14 to celebrate the Independence of the Slovak Republic.
- (b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

As in previous years, the Canadian Slovak League is requesting that the Slovak flag be flown at City Hall in celebration of the Independence of the Slovak Republic.

The Canadian Slovak League Branch 11, Hamilton, will be celebrating the Independence of the Slovak Republic on March 14 at St. Cyril & Methodius Hall.

cc: Mayor's Office
Mr. R. Swan, Manager, Property Maintenance Division
File

CITY OF HAMILTON
- RECOMMENDATION -

E. (iii)

DATE: 1993 March 16

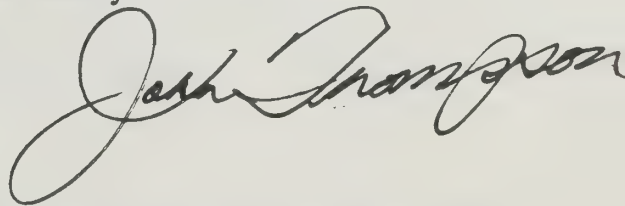
REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: John Thompson
Acting City Clerk

SUBJECT: Royal Canadian Legion 38th Biennial Convention

RECOMMENDATION:

- (a) That approval be given to the request of the Ontario Command of the Royal Canadian Legion to have a reviewing stand together with canopy and nine chairs erected on the west side of James Street, south of York Street, on Sunday, May 9 to be in position by 12:00 noon and removed at approximately 3:15 p.m. on the occasion of the 38th Biennial Convention parade and opening ceremonies.
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in Account CH 55222-10034 - Use of City Hall Facilities and Equipment by Outside Groups, for staff overtime associated with this event in the approximate amount of \$590.00.

BACKGROUND:

The Ontario Command of the Royal Canadian Legion will be holding its 38th Biennial Convention in the City of Hamilton from 1993 May 09 - May 13. On Sunday, May 09 at 2:00 p.m. there will be a parade from the Armouries to the Convention Centre for the Opening Ceremonies of the Convention. It is anticipated that approximately 1,000 marchers and at least seven bands will participate.

Finance and Administration Committee

Re: Royal Canadian Legion - 38th Biennial Convention

... 2

The Ontario Command of the Royal Canadian Legions is requesting the loan of a reviewing stand with canopy and nine chairs for the dignitaries who will be taking the salute at the march passed.

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Information Desk
File

CITY OF HAMILTON
- RECOMMENDATION -

E. (iv)

DATE: 1993 March 19

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. D. Thompson
Acting City Clerk

SUBJECT: RENEWAL OF XEROX PHOTOCOPIER
CONTRACT

RECOMMENDATION:

That the City exercise its option to renew the Agreement with Xerox Canada, Hamilton, Ontario for the 9900 and 5090 photocopiers located in the Service Department at an estimated cost of \$9,199.33 per month for the period ending 1995 June 30.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds provided in the 1993 City Clerk's Department Budget.

BACKGROUND:

The above recommendation corrects an error in the original council resolution adopted 1990 March 27 which indicated the Contract was to expire 1992 December 31 when in fact it expires 1995 June 30.

E.
(v)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 22

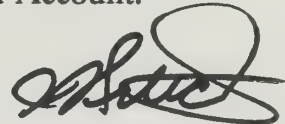
REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. Schatz
City Clerk

SUBJECT: Hamilton Corporate Challenge

RECOMMENDATION:

- (a) That consistent with previous years, an amount of \$2,625.80 be approved for the Hamilton Corporate Challenge to be used towards the cost of entering and sponsoring two (2) teams of Civic employees taking part in the Hamilton Corporate Challenge being organized by the Hamilton and District Chamber of Commerce and which will be held on Sunday, 1993 June 13th at Christie Conservation Area; and,
- (b) That this expenditure be financed from the Unclassified Account.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

- as noted above.

BACKGROUND:

The City of Hamilton has sponsored teams since 1986. Each team consists of twenty (20) employees from various Civic departments (10 male and 10 female). The aim of the Corporate Challenge is to promote good health and physical activity. It is also hoped that the "Challenge" will help to foster greater understanding and co-operation amongst all members of the Corporate Community.

SKR/dbm

c.c. - A. Ross, Treasurer

CITY OF HAMILTON
- RECOMMENDATION -

F. (i)

MAR 18 1993

DATE: 1993 March 17

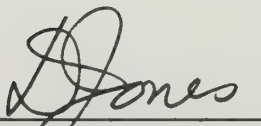
REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. John Johnston
Commissioner of Human Resources

SUBJECT: Heavy Construction Association of Ontario and the
United Brotherhood of Carpenters and Joiners of
America, Local 18 (C-014-093)

RECOMMENDATION:

That the contract settlement between the Heavy Construction Association of Ontario and the United Brotherhood of Carpenters and Joiners of America, Local 18, be received pursuant to the Fair Wage Policy of the City of Hamilton



John Johnston

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Attached.

Agreement between the Heavy Construction Association of Ontario and the United Brotherhood of Carpenters and Joiners of America, Local 18

Duration of Agreement - January 1, 1993 to December 31, 1995

Work covered by this collective agreement means work in the heavy construction industry and without limiting the generality of the foregoing, includes carpentry work on the following or similar types of construction:

- (a) water reservoirs and dams (excluding Ontario Hydro projects);
- (b) bridges, overpasses and underpasses (including walkways, curbs and concrete guardrails formed and poured in place as an integral part of the structure), including associated retaining walls and abutments;
- (c) elevated guideways, LRT systems, intermediate capacity transportation systems and work of a similar type;
- (d) cut and cover subway construction, subway stations below grade (buildings constructed above grade over subway construction or stations fall within the industrial, commercial and institutional sector), retaining walls in open cut sections or subway;
- (e) cut and cover tunnel construction;
- (f) docks, wharfs and canals for the use of marine traffic, shore based or stemming from the shore;
- (g) field precast manufacturing operations where such operations are an integral part of the work covered by this Agreement as defined in (a) through (e) above.

Hours of Work and Overtime

The standard hours of work for all employees shall be forty-five (45) hours per week, Monday to Friday exclusive of travelling time to and from the job. The standard hours of work shall be nine (9) hours per day to be worked between 7:00 a.m. and 7:30 p.m. with one-half hour unpaid lunch break.

Overtime at the rate of one and one-half times the employee's regular hourly rate as set down in Schedule "D" shall be paid for all hours worked in excess of forty-five (45) hours per week. All hours worked on a Sunday or Statutory Holiday shall be paid at the rate of one and one-half times the employee's regular rate.

When an employee, due to inclement weather, cannot work forty-five (45) hours Monday to Friday, he will be paid his regular rate of pay for any make up hours worked on a Saturday in the same week up to and including the forty-fifth hour. All additional hours worked on Saturday under the terms of this provision shall be paid for at the rate of one and one-half times the employee's regular hourly rate.

<u>EFFECTIVE DATE</u>	<u>HOURLY RATE</u>	<u>VACATION PAY</u>	<u>HEALTH & WELFARE</u>	<u>PENSION</u>	<u>TOTAL</u>
Jan.1/93	\$21.53	\$2.15		\$2.75	\$26.43
May 1/93	\$21.72	\$2.17		\$3.05	\$26.94
May 1/94	\$21.98	\$2.20		\$3.35	\$27.53
Nov.1/94	\$22.64	\$2.26		\$3.35	\$28.25
Oct.1/95					

Foreman Differential

Jan. 1/93	\$2.00	May 1/94	\$2.25
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Apprentice Rates

- 50% for 1st period of 1800 hours of training
- 60% for 2nd period of 1800 hours of training
- 70% for 3rd period of 1800 hours of training
- 85% for 4th period of training until apprentice achieves
Certificate of Apprenticeship

F (ii)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 17

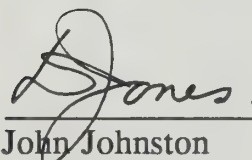
REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. John Johnston
Commissioner of Human Resources

SUBJECT: Appointments To and Terminations From Permanent
Positions with the Corporation of the City of Hamilton
(C-015-093)

RECOMMENDATION:

That the attached listing of Appointments To and Terminations From Permanent positions with the Corporation to March 18, 1993 be approved.

for 

John Johnston

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Attached.

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Wayne Murphy	Mtc Utilities Operator	Property	Resigned	9 years	March 05/93
Ms. Dolores Raycraft	Banquet Captain	H.E.C.F.I.	Terminated	7 years, 4 months	Feb. 28/93
Mr. George Binns	Concrete Finisher	Public Works	Terminated **REVISION** to report of Feb. 09/93	5 yrs. 3.5 months	Jan. 04/93

Prepared March 18/93

Glossary of Terms

Terminated - on LTD
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>EMPLOYEE STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Richard Canfor	I	Forester I (D-10B)	Public Works	Replacing Mr. R. Buttrum - transferred Oct. 26/92 - S. Plante promoted reclass, Council Approved January 18/92	\$38,240.80	March 08/93
Mr. D. Clark	I	District Chief (C-11)	Fire	Replacing Mr. J. Cardwell -promoted - N. FcFadyen retired September 30/92	\$66,992.60	Feb. 14/93
Mr. Steve Clarke	I	Traffic Service Foreman/Woman (13-A)	Traffic	Replacing Mr. D. Di Mascio - terminated	\$33,662.68 to \$40,048.32	Feb. 15/93
Mr. Rick Collins	I	Forester I (D-20B)	Public Works	Replacing Mr. B. Fleming -promoted June 15/92 reclass, Council Approved January 01/92	\$38,240.80	March 08/93

Prepared March 18/93

Employee status

Internal - I

External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>EMPLOYEE STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Ms. Rosa D'Ariano	I	Statistics Clerk (10-E)	Fire	Replacing Ms. J. Dyack -promoted L. Choppick retired June 30/92	\$28,868.84 to \$31,684.38	Feb. 22/93
Mr. Gilbert Desjarlais	I	District Chief (C-11)	Fire	Replacing Mr. H.A. Chalmers - promoted D. Wishart retired November 28/92	\$66,992.60	Feb. 14/93
Ms. Janet Dyack	I	Probationary Fire Communications Operator (N-1B)	Fire	Replacing Ms. L. Rowell transferred Oct. 26/92 L. Choppick retired June 30/92	\$34,234.08	March 08/93
Mr. Charles Guthro	I	Manager, Fleet Services (G)	Public Works	Replacing Mr. G. Kerr - terminated	\$62,178.48 to \$73,286.72	Feb. 15/93

Prepared March 18/93

CITY OF HAMILTON
- RECOMMENDATION -

G.

DATE: 1993 March 22nd

REPORT TO: Alderman D. Ross, Chairperson
and Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary
Finance and Administration Committee

SUBJECT: Information Items

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

- (a) Information Report - City Solicitor - Prosecution of Provincial Offences - Summary - December 1992 - February 1993 - dated 1993 March 2nd.
- (b) Information Report - City Solicitor - Removal of City tree - 111 St. Clair Avenue - dated 1993 March 11th.
- (c) Information Report - Secretary, City of Hamilton Licensing Committee - Taxi Industry Promotional Schemes - dated 1993 March 15th.
- (d) Minutes - Keep Hamilton Clean Committee - 1993 February 3rd meeting.
- (e) Information Report - Acting City Clerk - Tobacco Shop and Video Store Inspection Report.
- (f) Minutes - English Language Sub-Committee - 1993 January 19th meeting.

SKR/dbm

The Corporation of the City of Hamilton

BY-LAW NO. 93 -

"As referred to in Section B(ii) of the Consent
Agenda of the Finance and Administration
Committee meeting for Thursday, 1993 March 25th".

A By-law to Consolidate

Licensing By-law No. 79-323 and amendments thereto;

1.(1) In this by-law:

(a) "Board" means the Police Services Board of the Hamilton-Wentworth Regional Police;

(b) "Chief Constable" means the chief constable of the Hamilton-Wentworth Regional Police Force;

(c) "City" means The Corporation of the City of Hamilton;

(d) "City Council" or "council" means the council of The Corporation of the City of Hamilton;

(e) "City Treasurer" means the treasurer of the City;

(f) "Chief Licence Inspector" means the Chief Licence Inspector of the City;

(g) "Issuer of Licences" means the Licence Administrator authorized to provide licences issued, renewed or transferred by the Licence Committee;

(ga) "Licence Administrator" means the official appointed by council to administer this by-law;

(h) "Licence Committee" means the City of Hamilton Licensing Committee established by council;

(ha) "public interest" includes,

(A) promotion or advancement of the good of the inhabitants of the City or any part thereof, or

(B) avoidance of things, occasions, occurrences or opportunities hurtful to the comfort or interest of the inhabitants of the City or any part thereof,

but does not include circumstances of mere convenience, whim or caprice;

(i) "Secretary" means the secretary of the Licence Committee;

(j) "Schedule" shall be a reference to one or all the Schedules listed in Section 17, as the context requires.

(2) Except where otherwise provided, the provisions of this by-law apply to the engaging in or carrying on, in the City of Hamilton, of any of the trades, businesses or occupations regulated by this by-law.

2.(1) Subject to the powers, duties, authorizations, directions and requirements of the Licence Committee:

(a) administration of this by-law shall be by the Licence Administrator, and

(b) enforcement of this by-law shall be by by-law enforcement officers of the City,

(2) In accordance with the Police Services Act, police officers shall also enforce this by-law.

3.(1) Every application for a license shall be in writing and shall show:

(a) the particular class of licence applied for; and

(b) the full name, home address and telephone number of the applicant; and

(c) any other information as may be required for the kind and class of licence by the Schedules, or as may be necessary to identify the applicant, the business and its owner or operator, and the nature of the business which the applicant proposes to licence, including any location or vehicle to be used; and

(d) where the application is a renewal, it shall specify any change in the required information from the previous application; and

(e) an executed release for police information, in the form provided by the City.

(2) The application shall be delivered in person by the applicant to the Issuer of Licences.

(3) No application shall be received from any person who has been refused a similar licence within the previous three months.

(4) Where an applicant was the holder of a similar licence under this by-law for the previous year and there is no change in the required information, the applicant need not comply with subsection (2) unless requested by the Licence Committee, but shall supply a written and signed declaration that there has been no change in the required information.

(5) Where any premises or part thereof are to be used for a purpose requiring authorization by licence, the application shall include a sufficient description of such premises or of the part to be authorized to be so used, including the address and telephone number of the location, and a separate application shall be made with respect to each separate premises to be so used.

(6) Where a motor vehicle is to be used for a purpose requiring authorization by licence, the application shall include a sufficient description of such vehicle, including the make, the model, the licence plate number, and the vehicle identification number, and a separate application shall be made with respect to each vehicle to be so used.

(7) Where the business for which a licence is sought is carried on or is to be carried on by two or more persons in partnership, the names and addresses of all partners shall be set forth in the application.

4.(1) Upon receipt of an application and fees, the Chief Licence Inspector shall, without undue delay, obtain from the Chief Constable and forward to the Issuer of Licences for the information and convenience of the Licence Committee in its consideration of the application, a report of all readily ascertainable facts relating to the question of the character and fitness of the applicant to be a holder of the kind and class of licence applied for.

(2) Where any motor vehicle is to be used for a purpose requiring authorization by licence, the report shall include the results of an examination of the same as to its fitness or otherwise, and whether the applicant is the registered owner.

5.(1) Upon receipt of a licence application and fees, and before renewal of a licence or transfer of a licence, the Licence Committee may cause to be made all such investigations as it requires and shall consider the results of the investigations before determining whether or not the licence should be issued, renewed or approved for transfer.

(2) If the investigation does not disclose any reason to believe that:

(a) the applicant's character may not be good;

(b) the carrying on of the trade, calling, business or occupation may result or will result,

(i) in a breach of the law or any other by-law of the City; or

(ii) in a breach of this by-law or any schedule thereof; or

(c) the trade, calling, business or occupation may be contrary to the public interest;

the Licence Committee may, subject to subsection (5), approve the application, renewal or transfer.

(3) If the investigation discloses any reason to believe that:

(a) the applicant's character may not be good;

(b) the carrying on of the trade, calling, business or occupation may result or will result,

(i) in a breach of the law or any other by-law of the City; or

(ii) in a breach of this by-law or any schedule thereof; or

(c) the trade, calling, business or occupation may be contrary to the public interest;

the Licence Committee shall not issue a licence.

(4) The Licence Committee shall, in considering the application for a licence, or a renewal of a licence, or a transfer of a licence, take into account the following:

1. The character of the applicant.
2. Whether the carrying on of the trade, calling, business or occupation may result or will result,
 - (a) in a breach of the law or any other by-law of the City; or
 - (b) in a breach of this by-law or any schedule thereof.
3. Whether the carrying on of the trade, calling, business or occupation by the applicant may be contrary to the public interest.
4. Any other matter relating to the carrying on of a trade, calling, business or occupation that the Licence Committee requires to be considered.

(5) Every applicant shall, to the satisfaction of the Licence Committee, comply with all prior requirements of the applicable schedule, before an application is approved.

(6) No licence shall be issued where the applicant does not comply with the prior requirements of the applicable schedule.

6.(1) Subject to subsection (2), the licences for the several trades, callings, businesses or occupations set out in the Schedules to this by-law are valid for the term of the calendar year, unless the particular schedule provides for licences of a shorter term.

(2) Unless the licences referred to in subsection (1) are sooner revoked or suspended, to the City they shall, in each case, expire on the earlier of:

(a) the date of expiry shown upon the issued licence certificate, or where there is no such date shown, on the 31st day of December of the year for which the licence was issued;

(b) in the case of a licence issued to an individual, on the date of death of the individual; or

(c) in the case of a licence issued to a partnership or corporation, on the date of dissolution of the partnership or corporation.

(2a) Except in the case of subsection (2)(b), the Licence Holder shall return the licence certificate:

(a) upon the expiry of the licence; or

(b) in the case of a licence that has been suspended or revoked, unless the licence certificate has been returned to the City at the earlier request of the Licence Administrator, within seven days of the date of approval of the suspension or revocation by council.

(3) The required fee shall be paid for the whole of the year for which the licence is issued, unless a Schedule provides for a fee based on a shorter period, and shall be payable at the time the application is submitted.

(4) The amount of the licence fee fixed in a Schedule for issue of a licence shall be the fee payable for renewal or transfer of the licence, unless a separate fee is specified.

7.(1) The Issuer of Licences shall sign the licence certificate on behalf of the City.

(2) When the applicant has paid the amount of the licence fee, and subject to other provisions of this by-law and directions of the Licence Committee, the Issuer of Licences shall deliver the licence certificate, any licence plate, or identification card which may be prescribed by this by-law.

(3) Every licence certificate, licence plate and identification card shall remain the property of the City.

7a. Where the City provides any form or other document to a person that requires the insertion of information, the form or document whether or not containing the inserted information in whole or in part, shall be and remain the property of the City.

7b. Every licence certificate, licence plate, identification card, form or document, shall be delivered forthwith to the City upon written or oral request of the Licence Administrator or the Chief Licence Inspector or a licence inspector.

8.(1) Every licence certificate shall be in such form as may from time to time be authorized by the Licence Committee and shall show on its face:

(a) the kind or class or classes of licence granted;

(b) the period for which it is granted, including the date of expiry;

(c) whenever the licence authorizes the use of any premises or part or parts for the purpose of the licensed business or occupation, clear identification of such premises or part or parts, together with limitations, if any, to which such use is subject by law, whether as to the maximum number of persons who may be lawfully accommodated at any one time, or otherwise; and

(d) wherever the licence authorizes the use of a motor vehicle, clear identification of the motor vehicle, including year, make, model, Vehicle Identification Number and licence plate number.

(2) No licence certificate shall be valid until it is shown on the face of the certificate that the amount of the licence fee has been paid.

9. (Repealed.)

10. The Secretary shall attend all meetings of the Licence Committee and shall keep all necessary records and perform such other duties as may from time to time be required by the Licence Committee.

11.(1) Every licence is personal to the holder thereof, and no licence is transferable without the consent in writing of the Licence Committee.

(1a) No license is transferable unless a transfer is specifically provided for in the applicable Schedule.

(2) No licence authorizes the use of any premises or part, or of any vehicle, except that identified on the licence certificate.

12.(1) Where a licence authorizes the use of any premises or part, for any purpose for which a licence is required under this by-law, the current licensee shall:

(a) post up the licence certificate; and

(b) keep the licence certificate posted up, in a position where it may readily be seen and read by persons entering the premises or part thereof.

(2) No licence which is not current shall be posted up or left posted up.

13. The licensee shall be responsible that the premises authorized to be used for the purposes of the licensed business are kept clean and orderly, and that every vehicle authorized to be used for the purpose of the licensed business is so used only when in a clean and safe condition.

14. The Chief Constable, a police constable, the Chief Licence Inspector and a licence inspector may at all reasonable times inspect any licensed premises or vehicle, and inspect any records required by this by-law to be kept by the licensee, and the licensee shall be responsible that all reasonable assistance therefor is afforded by himself, his employees, servants and agents.

15. The Licence Committee may suspend or revoke a licence where:

(a) the character of the licensee is such that it may,

(i) provide an adverse reputation to the trade, calling, business or occupation;

(ii) result in acts or omissions adverse to good trade, calling, business or occupation practices;

(b) the carrying on of the trade, calling, business or occupation by the licensee may result or results,

(i) in a breach of the law or any other by-law of the City; or

(ii) in a breach of any provision of this by-law or any Schedule thereof;

(c) the carrying on of the trade, calling, business or occupation is contrary to the public interest; or

(d) the licensee has been convicted of an offence under section 18.

15a. Where a hearing has been held and the Licence Committee has:

(a) refused to issue, renew or transfer a licence; or

(b) revoked a licence;

and City Council has made a decision in respect of a recommendation of the committee, any rehearing or further hearing by the committee in respect of the licence shall be held not less than twelve months from the date of a decision by City Council.

16. (Repealed).

17. The following Schedules appended hereto, form part of this by-law, and every person engaging in or carrying on any trade, business, calling or occupation for which a licence is required by the provisions of this by-law shall be responsible that all the provisions of this by-law regulating such trade, business, calling or occupation are complied with:

Schedule 1 Auctioneers

Schedule 2 Barber Shops and Hairdressing Establishments

Schedule 3 Retail Butchers and Fish Mongers

Schedule 4 Taxicabs

Schedule 4a Livery Vehicles

Schedule 5 Cartage Businesses

Schedule 6 Drive-Self Rental Vehicles

Schedule 7 Driving Schools and Instructors

Schedule 8 Eating Establishments

Schedule 9 Food Shops

Schedule 10 Tow-trucks

Schedule 12 (REPEALED)

Schedule 13 Pedlars

Schedule 15 Public Halls and Places of Amusement

Schedule 16 Refreshment Vehicles

Schedule 17 Salvage and Second-Hand Goods Businesses

Schedule 19 Sign Posters and Bill Distributors, etc.

Schedule 20 Tobacco Retailers

Schedule 21 Tourist Camps, Trailer Camps and Motels

Schedule 22 Transient Vendors

Schedule 23 Pet Shops

Schedule 24 Bake Shops

Schedule 25 Dry Cleaning Establishments

Schedule 26 Storage of Petroleum and Other Dangerous or
Inflammable Substances

Schedule 27 Laundries and Laundreterias

Schedule 28 Lodging Houses

Schedule 29 Massagists

Schedule 30 Pawnbrokers

Schedule 31 Public Baths

Schedule 32 Public Garages

Schedule 33 (REPEALED)

Schedule 34 (REPEALED)

Schedule 35 (REPEALED)

Schedule 36 (REPEALED)

Schedule 37 (REPEALED)

Schedule 38 (REPEALED)

Schedule 40 Special Sales

Schedule 41 Old Gold and Jewellery Dealers

Schedule 42 Building Exterior Cleaners

Schedule 43 Flea Markets

Schedule 44 Appendixes and Forms

Schedule 45 Fees.

18. Every person who contravenes any provision of this by-law or of a Schedule hereof, and every director and officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence, and upon conviction is subject to the penalty provided in section 61 of the Provincial Offences Act, R.S.O. 1990, c. P.33.

19. A licensing committee under the City of Hamilton Act, 1978, S.O. 1978, c.119, to be known as "The City of Hamilton Licensing Committee" is hereby established, and shall be composed of those members appointed by council, as listed in Appendix "A" hereto attached.

20.(1) By-law 79-323 as enacted by Council on November 27, 1979, and all the amendments and by-laws listed in Appendix "B" hereto, are consolidated and replaced by this by-law, which may be cited as "The City of Hamilton Licensing Code, 1993".

(2) Schedules 4 and 4a as enacted in By-law 92-172 as amended, are adopted as "Schedule 4" and "Schedule 4a" respectively of this by-law, subject only to the amendment of forms to be used listed in Schedule 44 of this by-law, and to the amendment of fees to be charged listed in respectively, sections 4 and 4a of Schedule 45 of this by-law.

SEVERABILITY AND SAVING

21. Should a court of competent jurisdiction declare a part or the whole of any provision of this by-law to be invalid or of no force and effect, the provision or part is deemed severable from this by-law, and it is the intention of council that the remainder survive and be applied and enforced in accordance with its terms to the extent possible under the law.

PASSED

day of

A.D. 1993.

City Clerk

Mayor

APPENDIX "A"**To By-Law No. 93-****(Section 19)****Members of the City of Hamilton Licensing Committee**

1. Alderman T. Cooke.
2. Alderman D. Drury.
3. Alderman D. Wilson.
4. Mr. Arthur James Child.
5. Mr. John R. Jones.

APPENDIX "B" TO BY-LAW 93-**(Section 20)**

1. The following by-laws and amendments thereto have been consolidated and are repealed in their entirety, except as noted herein;

73-342, 10467, and 10468, 78-224 as amended, 79-323 excepting Section 19(2), 80-093, 80-194, 80-208, 80-222, 81-50, 81-79, 81-234, 82-197, 83-37, 83-104, 83-261, 83-300, 83-317, 84-16, 84-71, 84-244, 84-262, 85-91, 86-285, 86-344, 87-17, 87-44, 87-232, 87-234, 87-253, 87-254, 87-271, 87-272, 87-294, 87-325, 87-326, 87-341, 88-88, 88-136, 88-137, 88-139, 88-271, 89-27, 89-56, 89-57, 89-249, 89-315, 89-316, 89-347, 90-256, 90-279, 90-318, 90-338, 90-357, 91-106, 91-177, 92-005, 92-007 except for Sections 1, 2, 23, 24, 25, and 26, 92-008, Section 1 of 92-063, 92-220 and 92-221.

SCHEDULE 1

AUCTIONEERS

Licence Required

1. No person shall, in the City of Hamilton, carry on the business of an auctioneer or of selling or putting up for sale goods, wares, merchandise or effects by public auction, without a licence under this by-law entitling him so to do.

Duration of Licence

2. Unless otherwise specified by the Licence Committee in the licence certificate, the duration of the licence, subject to this by-law, shall be the balance of the calendar year in which it was granted, unless sooner lawfully revoked.

Application of Schedule

3. The provisions of this Schedule do not apply to a sheriff or bailiff offering for sale goods or chattels seized under an execution or distrained for rent.

4. Every place of business of an auctioneer shall be in all respects suitable for the purpose.

Duties

5.(1) Except as provided in Subsection (2), every auctioneer shall keep good order in his auction room and offices, shall not allow any gambling or other disorderly practice therein, shall keep proper books of account of the business transacted by him as an auctioneer, which books shall give the names and addresses of persons depositing goods with him for sale, the description of such goods, the names and addresses of the persons purchasing such goods, or any portion thereof, and at what price, and shall forthwith, after the sale of such goods or any portion thereof, account for the proceeds and pay the same to the person or persons entitled to such proceeds, less his proper and legal commission and charges; and shall in the case of no sale of such goods, on payment of his proper costs and charges return such goods to the person or persons entitled to receive the same on proper demand being made therefor.

(2) Nothing in this section contained shall in any way affect or invalidate the claim of any auctioneer for goods warehoused with him, or on which he has made advances.

Where Overcrowding

6. No auctioneer shall conduct an auction sale upon any premises which are unsafe as regards danger from fire or risk of accident, or commence or continue any auction sale at any time while there is upon the premises a number of persons so great as to create a condition which may be or become unsafe as regards danger from fire or risk of accident.

7. The amount of the licence fee is provided in section 1 of Schedule 45 of this by-law.

SCHEDULE 2

BARBER SHOPS AND HAIRDRESSING ESTABLISHMENTS

Licence Required

1. No person shall, in the City of Hamilton, carry on the business of a barber shop or hairdressing establishment without a licence under this by-law entitling him so to do.
2. The amount of the licence fee is provided in section 2 of Schedule 45 of this by-law.

SCHEDULE 3

RETAIL BUTCHERS AND FISHMONGERS

Interpretation

1. In this Schedule,

(a) "retail butcher" means a person who sells fresh meat in quantities less than by the quarter carcass; and

(b) "fishmonger" means a person who sells fresh fish.

Application of Schedule

2. Nothing in this Schedule affects the powers conferred upon the City Council by the provisions of The Municipal Act.

Licence Required

3. No person shall, in the City of Hamilton, sell fresh meat in quantities less than by the quarter carcass, or fresh fish, without a licence under this by-law, entitling him so to do.

Duration of Licence

4. The duration of the licence, subject to this by-law, shall be the balance of the calendar year in which it was granted.

Sale of Horse Meat

5. No person shall, in the City of Hamilton, sell any fresh horse meat in quantities less than by the quarter carcass,

(a) without a licence under this by-law, specifying that it is for the sale of fresh horse meat;

(b) except in premises authorized for the purpose, with signs displayed conspicuously both outside and inside bearing the words "Horse Meat Sold Here", in plain and legible letters at least six inches high; or

(c) in any premises where any other fresh meat or poultry or product thereof is offered or exposed for sale.

6. The licence fees are provided in section 3 of Schedule 45 of this by-law.

7. A licence issued under this Schedule is only permission to sell from the location or vehicle as the case may be, for which the licence has been issued.

8. Obtaining a licence under this Schedule or the payment of the licence fee required, does not excuse an applicant or licence holder from compliance with by-laws and regulations passed respecting markets, and in particular the applicant or licence holder must still pay all applicable markets fees and comply with the hours of operation imposed.

SCHEDULE 5
CARTAGE BUSINESSES

1. In this Part,

(a) "cartage vehicle" means a motor vehicle used for hire for the conveyance of goods or other articles or material from one point within the City to another point within the City; and

(b) "operator" means a person hiring a cartage vehicle from any person and then hires out the use of the cartage vehicle to any person.

Licence Required

Owners

2.(1) No person shall, in the City of Hamilton, being the owner of a cartage vehicle, carry on the business of conveying goods or other articles or material for hire without a licence under this by-law, entitling him so to do.

(1a) No operator shall, in the City of Hamilton, carry on the business of conveying goods or other articles or materials for hire without a licence under this by-law, entitling him so to do.

(2) Repealed. By-law No. 79-164.

(3) Every owner and every operator shall take out a separate licence for one or more of the following classes of cartage vehicles:

(a) CLASS "A" - Authorizing the licensee to operate the cartage vehicle for which the licence is issued for the carriage of general freight within the City of Hamilton and for the carriage of parcels or goods authorized to be carried under Class "E" licence.

(b) CLASS "B" - Authorizing the licensee to operate the cartage vehicle for which the licence is issued when such vehicle is equipped with pads, belts, hooks, wardrobes and special packing containers, for the carriage of,

(i) used household office and store furniture;

(ii) new uncrated furniture and fixtures that are part of the furnishing of the dwelling in which they are to be used;

(iii) new uncrated furniture and fixtures that are part of the furnishings of offices, museums, hospitals, factories and public institutions; and

(iv) objects of art, displays, exhibits and electronic equipment that because of their unusual nature or value require specialized handling.

(c) CLASS "C" - Authorizing the licensee to operate the cartage vehicle for which the licence is issued for the carriage in dump trucks or hopper type vehicles of goods in bulk and of a type that may be scooped, poured, forked, shovelled or dumped.

(d) CLASS "D" - Authorizing the licensee to operate the cartage vehicle for which the licence is issued for the carriage of goods to or from the person named in the licence.

(e) CLASS "E" - Authorizing the licensee to operate the cartage vehicle for which the licence is issued for the carriage of parcels or goods where shipments made to any one consignee do not exceed five hundred pounds (500 lbs.) in weight and where the cartage vehicle has a gross weight not in excess of five thousand pounds (5,000 lbs.).

(f) CLASS "F" - Authorizing the licensee to operate the cartage vehicle for which the licence is issued for the carriage of goods which by virtue of their weight, size, shape or nature require the use of specially designed vehicles and handling devices provided that float equipment is used.

Application for Licence

3.(1) Every application with respect to a cartage vehicle shall be delivered by the applicant to the Issuer of Licences.

(2) Every applicant for a Class "C" licence or for a renewal of a Class "C" licence shall, at the time of application, file a safety standards certificate for each cartage vehicle, that was issued upon inspection that was completed in respect of the cartage vehicle not more than thirty days from the date of the application.

Owner's Licence Certificate

4. On every owner's licence certificate shall be shown the identity of the one cartage vehicle for which the licence is granted, and a separate licence certificate shall be required for each vehicle.

Drivers' Duties

5. Every driver shall notify the Issuer of Licences and the Chief Constable and Chief Licence Inspector within six days of any change of address, and shall promptly report all accidents or other mishaps with respect to the cartage vehicle, or with respect to any cargo or other property, shall not unnecessarily do any washing or repairing of his cartage vehicle in any street, alley or other public place, and, at any time when the same may not be safe to be driven, shall at once report to the Chief Constable or Chief Licence Inspector and shall not again drive it until it has again been made safe, and shall not at any time drive a cartage vehicle with respect to which a licence is required by the provisions of this Schedule unless it has affixed to the right-hand side thereof in a position in which it may readily be seen the City's current licence plate.

Owners' Duties

Insurance

6.(1) Except as provided in Subsection (2), as a pre-condition to the issuing of a licence certificate under this Schedule to the owner of any cartage vehicle, such owner shall deposit with the City by delivering to the Issuer of Licences the written certificate of an

(g) that every cartage vehicle shall have a safety check by the Ministry of Transport at least once each year.

(4) Subsections (1), (2) and (3) shall apply to a person who is an operator of a cartage vehicle.

Medical Examination

7. Upon demand by the City, a licensee shall promptly have a physical or mental examination by a physician, and procure and furnish or cause to be furnished to the City a written report from the physician, of the results of such examination, or, in the alternative, if so required by the City, shall submit to examination by a physician designated by the City, and in such case at the expense of the City.

PART II

HORSE CARTAGE BUSINESSES

Licence Required

8. No person shall carry on business as a teamster, carter or drayman without a licence under this by-law, entitling him so to do.

Duties

9. Every person carrying on the business of a teamster, carter or drayman shall be responsible that the following requirements are complied with, namely:

(1) That the premises used are fit for the purpose and kept in a clean, dry and safe condition, and in a proper state of repair.

(2) That all harness, vehicles and other equipment are kept fit for their purpose and are kept in a clean and safe condition and in a proper state of repair.

(3) That no article or equipment or business or other activity of any kind which is not normally and customarily incidental to the business of a teamster, carter or drayman is allowed on the premises.

(4) That every animal is healthy, safe and otherwise fit for the purpose, and is at all times kept well-shod, clean and in good condition.

(5) That the attention of a veterinary surgeon is procured without unnecessary delay, for any animal in need of it.

(6) That no animal is given into the charge of any person not competent to keep it under proper control.

10. The licence fees are provided in section 5 of Schedule 45 of this by-law.

SCHEDULE 6

DRIVE-SELF RENTAL VEHICLES

Interpretation

in this Schedule,

(a) "drive-self rental vehicle" means a motor vehicle used for hire for the conveyance of persons, which is hired or kept for hire to persons who are to provide their own drivers; and

(b) "drive-self cartage vehicle" means a motor vehicle used for hire for the conveyance of goods or other articles or material, which is hired or kept for hire to persons who are to provide their own drivers.

Application of Schedule

The provisions of this Schedule shall not apply with respect to motor vehicles rented by the month or for periods of more than a month.

Licence Required

No person shall, in the City of Hamilton, being the owner of a drive-self rental vehicle or a drive-self cartage vehicle, carry on the business of letting it for hire without a licence under this by-law, entitling him so to do.

Application for Licence

Every application with respect to a drive-self rental vehicle or a drive-self cartage vehicle shall be delivered by the applicant to the Licence Administrator.

Licence Certificate

On every licence certificate shall be shown the identity of the vehicle for which the licence is granted, and a separate licence certificate shall be required for each vehicle.

Owners' Duties

Insurance

(1) Except as provided in Subsection (2), as a pre-condition to the issuing of a licence certificate under this Schedule to the owner or any drive-self rental vehicle or drive-self cartage vehicle, such owner shall deposit with the City by delivering to the Issuer of licences the written certificate of an insurer duly licensed under The Insurance Act to carry on in Ontario the business of automobile insurance, that it has issued to or for the benefit of such owner in respect of such drive-self rental vehicle or drive-self cartage vehicle, a motor vehicle liability policy which is on the date of the certificate in full force and effect, in an amount of not less than \$50,000.00, exclusive of interest and costs, against loss or damage resulting from bodily injury to or the death of one or more persons and loss of or damage to property in any one accident, and, where in any one

accident damages result from bodily injury or death and loss of or damage to property;

(a) claims arising out of bodily injury or death shall have priority over claims arising out of loss or damage to property to the amount of \$40,000.00; and

(b) claims arising out of loss or damage to property shall have priority over claims arising out of bodily injury or death to the amount of \$10,000.00,

and such written certificate of the insurer shall certify that it is provided in the policy that the same will not be cancelled or expire except upon ten days' prior written notice thereof to the City, delivered to the Licence Administrator and that until such notice is given the policy and the certificate are valid, and sufficient to cover the term of any renewal or extension of such motor vehicle liability policy by the insurer, and any renewal or extension of the term of such owner's licence by the City.

(2) Notwithstanding Subsection (1), where a person owns five or more motor vehicles to be used for the purpose of the licensed business, a liability insurance policy similar to the liability policy referred to in Subsection (1) may, with the approval of the City, be carried in an amount not less than \$300,000.00.

Miscellaneous

(3) Every person carrying on a business for which a licence is required by the provisions of this Schedule shall be responsible,

(a) that the Chief Licence Inspector and the Chief Constable are notified in writing within six days of any change of address;

(b) that no drive-self rental vehicle or drive-self cartage vehicle is used in his business except one the use of which is authorized by a licence issued under this by-law;

(c) that no such drive-self rental vehicle or drive-self cartage vehicle is used for hire when not in safe driving condition; and

(d) that a proper record is kept showing the record of every person to whom a drive-self rental vehicle or drive-self cartage vehicle was let, including the following:

(i) Name and address of such person;

(ii) Description including sex, age, height, weight, colour of eyes and hair, beard or moustache if any, whether bald or not and any other noticeable characteristics;

(iii) Number of driver's or chauffeur's permits;

(iv) Date and time of hiring and for what alleged probable period and destination; and

(v) The signature of such person;

(e) every self-drive cartage vehicle shall have a safety check by the Ministry of Transport at least once each year, and all such records shall be plain and legible, written or typed in the English language, and shall be kept for at least one year, and during that period kept available to inspection by the Chief Constable or Chief Licence Inspector at all times, and all information in said records shall be confidential to the City, the Chief Constable and the Chief Licence Inspector authorized to peruse the same, and shall not be communicated to any other person except as it may be required to be given in evidence.

7. The amount of the licence fee is provided in section 6 of Schedule 45 of this by-law.

SCHEDULE 7

DRIVING SCHOOLS AND INSTRUCTORS

Interpretation

1. In this Schedule,

(a) "driving school" means the business of teaching persons to operate motor vehicles; and

(b) "driving instructor" means a person whose occupation is the teaching of persons to operate motor vehicles;

(c) "driving school operator" means a person licensed to carry on the business of a driving school;

(d) "employ" includes any business relationship between a driving school operator in which;

(i) a driving instructor is hired on a salary, hourly wage or commission or other means of remuneration; or

(ii) a driving instructor acts as an agent of the driving school operator or as an independent contractor or on the basis of any other formal or informal arrangement for the teaching of students from the school.

Licence Required

2.(1) No person shall, in the City of Hamilton, carry on the business of a driving school without a licence under this by-law, entitling him so to do.

(2) No person shall engage in the occupation of a driving instructor in the City of Hamilton without a licence under this by-law, entitling him so to do.

Application for Licence

3. Every application for a licence shall be delivered by the applicant to the Issuer of Licences, and every application for a driving school licence shall include particulars of the applicant's financial responsibility, and shall be accompanied by his public liability and other insurance policies, if any.

Licence Certificate

4.(1) Every driving school operator and every driving instructor shall notify the Chief Licence Inspector in writing of all vehicles used or to be used to teach persons to operate motor vehicles immediately before commencement of use whether or not the motor vehicles are owned by the driving school operator, the driving instructor or any other person.

(2) No driving school operator or driving instructor shall use a motor vehicle and no motor

vehicle shall be used for the purpose of teaching persons to operate motor vehicles unless the Chief Licence Inspector has authorized the use in writing.

Duties of Driving Instructor

5. Every driving instructor shall be responsible,

(a) that driving instruction is not given over the same routes that are commonly used for tests for operator's permits; and

(b) that the Chief Constable and Chief Licence Inspector are notified in writing within six days of any change of address.

Duties of Driving School Operator

6.(1) Save as hereinafter otherwise provided, every driving school operator shall be responsible,

(a) that the Chief Licence Inspector and the Chief constable are notified in writing within six days of any change of address of the business;

(b) that the location of his place of business is suitable, and has adequate provision for off-street parking of motor vehicles;

(c) that no person is allowed to act as an instructor unless he or she holds a current and valid license under this by-law as an instructor;

(d) that every other motor vehicle used in teaching persons to operate motor vehicles is in safe driving condition, that it is equipped with extra braking equipment for use by the driving instructor beside the driver, and that it may safely be used for the purposes of the business;

(e) that no motor vehicle is used for the purpose of teaching persons to operate motor vehicles except one the use of which is authorized by a licence under this Schedule.

(f) that no such motor vehicle is used at any time for the purpose of teaching persons to operate motor vehicles, unless it carries at the rear a sign at least ten inches high and twenty inches wide, indicating the nature of the business, in letters clearly readable from the rear, at distances up to at least seventy-five feet; and

(g) that a proper record is kept, of daily reports from each driving instructor employed of all driving lessons given, and kept available for inspection by any member of the police force; said reports to include the name and address of the student driver, the date and time of each lesson, the name of the driving instructor, and the serial number of the driver's permit or temporary instruction permit of each student driver and such records shall be kept for the period of at least one year.

(h) that no motor vehicle is used for instruction without having affixed to the rear of the vehicle a clearly visible licence plate issued by the City of Hamilton and in force during the calendar year during which the motor vehicle is in use;

(i) that no motor vehicle to which is affixed a City of Hamilton licence plate in accordance with clause (h), shall have affixed to it any other licence plate except a plate issued under The Highway Traffic Act;

(j) that no motor vehicle is used by a driving instructor not holding a licence entitling him to engage in the calling of driving instructor.

(2) Notwithstanding the foregoing, it shall be lawful,

(a) for a driving instructor to teach a student driver how to drive in a motor vehicle owned by the student driver or a member of his immediate family, after the student driver has had, in the authorized motor vehicles, instruction sufficient to make such a change safely, and has had in any event, at least three hours instruction in an authorized vehicle; and

(b) for a driving instructor to teach a paraplegic student driver how to drive in a vehicle suitably equipped for that purpose, though not corresponding to the other requirements of this Schedule, provided that all other safety precautions are taken, which are reasonably practicable, including precautions with respect to the time when and the places where the instruction is given.

7. The licence fees are provided in section 7 of Schedule 45 of this by-law.

SCHEDULE 8

EATING ESTABLISHMENTS

Interpretation

1. In this Schedule,

(a) "eating establishment" means an eating establishment for which a licence may be required by by-law pursuant to the provisions of The Municipal Act, and includes,

(i) "restaurant", which means an eating establishment where food is prepared on the premises and which has seating accommodation for more than fifteen persons;

(ii) "lunch counter", which means an eating establishment which has seating accommodation for not more than fifteen persons;

(iii) "refreshment stand", which means an eating establishment where only food already prepared for immediate consumption by the public without cooking, is served; and

(iv) "drive-in restaurant", which means any eating establishment where carry-out service to patrons in motor vehicles is provided.

Licence Required

2. No person shall, in the City of Hamilton, carry on any business of an eating establishment, without a licence under this by-law, entitling him so to do.

Provided that the keeper of a hotel within the meaning of the provisions of The Municipal Act in that behalf shall not be required to hold an eating establishment licence.

Duties Of Operator

3. Every person carrying on the business of an eating establishment shall be responsible,

(a) Condition of Premises. That the premises are kept clean and orderly and maintained in all respects reasonably suitable for the purpose for which they are used, and kept suitably lighted and ventilated;

(b) (Repealed).

(c) Dancing Prohibited. That no dancing or entertainment is allowed in any part of the premises unless the premises or part is licensed under this by-law for use as a public hall.

4. The licence fees are provided in section 8 of Schedule 45 of this by-law.

SCHEDULE 9

FOOD SHOPS

Interpretation

1. In this Schedule,

(a) "food shop" means a place where food stuffs, intended for human consumption are made for sale, offered for sale, stored or sold.

Licence Required

2.(1) Except as provided in Subsection (2), no person shall, in the City of Hamilton, carry on the business of a food shop, without a licence under this by-law, entitling him so to do.

(2) A person who holds a current and valid licence under Schedule 3 (Retail Butchers and Fishmongers), Schedule 8 (Eating Establishment), or Schedule 16 (Refreshment Vehicle) in respect of a shop, establishment or vehicle shall not be required to obtain a food shop licence in respect of the shop, establishment or vehicle already licensed.

3. The amount of the licence fee is provided in section 9 of Schedule 45 of this by-law.

SCHEDULE 10

TOW-TRUCKS

Definitions

1. For the purposes of this Schedule, the following definitions apply:

(a) "highway" means a highway as defined in the Municipal Act, but does not include a King's Highway as defined in the Highway Traffic Act, or a road, street, bridge or highway laid out but not assumed for public use or established by by-law, whether built by a private person or body corporate.

(b) "Highway Traffic Act" shall be deemed to be a reference to the Highway Traffic Act, R.S.O. 1980, c. 198.

(c) "Licence Holder" means a person licensed under this Schedule as an owner or driver of a tow-truck.

(d) "motor vehicle" means motor vehicle as defined in the Highway Traffic Act.

(e) "owner" of a tow-truck includes a purchaser or person entitled to operate, possess, or use the tow-truck, under a lease or conditional purchase agreement.

(f) "tow-truck" means a motor vehicle, which is designed, modified, or used, for the towing, carrying, or lifting of disabled or inoperative motor vehicles, with or without the assistance or use of lifts, winches, dollies, trailers or like equipment, and operated as such for a fee.

(g) "towing service" shall mean the provision or use of a tow-truck, the assistance of the driver, and the use of the equipment carried or available for use in conjunction with the tow-truck for the pulling, carrying or lifting of a motor vehicle, at a place located within the City of Hamilton.

Licence

2. (1) Subject to (3), every owner or driver of a tow-truck, using the tow-truck to provide towing services at the scenes of accidents, shall obtain, and maintain in good standing, a licence from the Corporation of the City of Hamilton, authorizing the carrying on or engaging in the business or occupation of offering or providing such towing services.

(2) Subject to (3), no person shall carry on, or engage in, the business or occupation of towing motor vehicles from the scenes of accidents as a tow-truck owner or driver in the City of Hamilton, without first having obtained a licence under this Schedule.

(3) For the purposes of (1) and (2) the towing of motor vehicles from accidents located outside the boundaries of the City of Hamilton, is deemed not to be a business or occupation which requires a licence under this Schedule.

3. (1) In addition to the application, an applicant for a tow-truck owner's licence, upon first application or renewal, shall provide:

(a) proof of a valid provincial drivers' licence, along with the licence number, authorizing the applicant to operate the tow-truck to be licensed, unless the owner indicates on the application that he will not personally drive the tow-truck;

(b) proof that the tow-truck is registered and licensed with the Ministry of Transportation, along with the vehicle identification number and licence number;

(c) proof that the tow-truck is insured for operation on public roadways, the name of the insurance company, policy number and date of expiry, the insurance supplying a minimum coverage of \$1,000,000.00 for third party liability, which insurance also fully compensates for loss or damage to towed motor vehicles;

(d) a current Safety Standards Certificate for the vehicle to be licensed, issued under the Highway Traffic Act; and

(e) the address of any storage yard operated by the owner, and the address of the owner's office from which the business is operated, if different from the address of the storage yard.

(2) An owner who has indicated he will be a driver of the tow-truck and who has otherwise complied with the requirements of being licensed as a driver, may be issued a tow-truck driver's licence in addition to the owner's licence without being required to pay the fee for such driver's licence.

(3) A tow-truck owner licensed under this section, shall hold such licence and rights thereunder subject to the requirement that all insurance and required provincial licences are not suspended, cancelled or otherwise revoked, and shall return the licence to the City immediately upon any such suspension, cancellation or revocation.

(4) A tow-truck owner's or driver's licence given to the City under subsection (3), shall be returned to the owner, upon the owner supplying the City with proof of reinstatement of the insurance or provincial licences, along with the particulars thereof required by subsection (1).

4.(1) In addition to the application, an applicant for a tow-truck driver's licence shall provide:

(a) where available, the full name and address of his employer;

(b) where available, the name of the owner and municipal licence number, respecting the tow-truck to be driven;

(c) proof of a valid provincial driver's licence, along with the licence number; and

(d) three recently taken passport sized photos with a head and shoulders view, clearly showing the applicant's face.

(2) A tow-truck driver licensed under this section, shall hold the licence and rights thereunder subject to the requirement that the provincial driver's licence is not suspended, cancelled or otherwise revoked, and shall return the tow-truck driver's licence to the City immediately upon any such suspension, cancellation or revocation.

(3) A tow-truck driver's licence given to the City under subsection (2), shall be returned to the driver, upon the driver supplying the City with proof of reinstatement of the provincial licence, along with the particulars thereof required by subsection (1).

Regulation

5.(1) No person shall solicit the hiring of a tow-truck or offer towing services, while that person is within 200 metres of,

(a) the scene of a motor vehicle accident or apparent accident; or

(b) a motor vehicle involved in an accident,

on a highway.

(2) No Licence Holder shall park or stop a tow-truck on a highway within 200 metres of,

(a) the scene of a motor vehicle accident or apparent accident; or

(b) a motor vehicle involved in an accident.

(3) Subsections (1) and (2) do not apply to a person who is at the scene of the accident at the request of a police officer, a municipal fire fighter, an officer appointed for carrying out the provisions of the Highway Traffic Act, a person engaged in highway maintenance, or a person involved in the accident.

6. (a) An owner of a tow-truck shall not permit the operation of the tow-truck within the City of Hamilton by a driver who does not have a valid and current licence issued under this Schedule.

(b) A tow-truck owner shall supply the City of Hamilton Licence Division with a current written list of all tow-truck drivers' names, addresses and telephone numbers, within seven days of obtaining a tow-truck owner's licence, and shall also supply the City with any further additions or deletions to such list.

7. While operating a tow-truck, the driver shall carry the photo identification and licence supplied by the City and shall produce such documentation on demand, to a police officer or other persons authorized to enforce by-laws of the City.

8.(1) No licensed tow-truck owner shall drive or operate any tow-truck, or permit to be driven or operated any tow-truck, without first ensuring the tow-truck has:

(a) the licence plate issued by the City, affixed on the outside of the tow-truck and facing the rear, prominently displaying the identifying licence number, in such a manner that the number is visible from behind the truck and without obscuring the provincial licence plate;

(b) the name of the owner, or a registered trade name, painted on the outside of each door in letters at least 5 centimetres in height, in a colour contrasting to that of the doors, so that the name is prominently displayed;

(5) A tow-truck owner or driver shall comply with the request of a police officer or licence inspector to take the tow-truck to a Ministry of Transportation vehicle inspecting facility, or to an Ministry of Transportation authorized inspector, and return with a current Safety Standards Certificate or any deficiency report obtained, for the purpose of ensuring compliance with the applicable requirements of subsections (1), (2) and (3).

9. The licence fees are provided in section 10 of Schedule 45 of this by-law.

SCHEDULE 13

PEDLARS

Interpretation

1. In this Schedule,

(a) "pedlar" means a person who goes from place to place or to a particular place with goods, wares or merchandise for sale, or who carries and exposes samples, patterns or specimens of any goods, wares or merchandise that are to be delivered in the municipality afterwards.

Licence Required

2. No person shall carry on business as a pedlar without a licence under this by-law, entitling him so to do.

Licence Plate

3. Every pedlar while using a vehicle in his business shall keep affixed thereto, on the right-hand side thereof in such a manner as always to be readily visible from that side, the current licence plate for said vehicle, and no other licence plate on that side.

Miscellaneous Requirements

4. No pedlar shall,

(a) hold any show or entertainment in any street or public place;

(b) place or maintain any stand, stall or booth in any street or other public place;

(c) use in his business any horse or other animal not in sound condition and well-cared for; or

(d) being the holder of a pedlar's licence, allow any other person to use his licence certificate.

5. The licence fees are provided in section 13 of Schedule 45 of this by-law.

PUBLIC HALLS AND PLACES OF AMUSEMENT

Licence Required

1.(a) "amusement machine" means a machine, device or contrivance activated by mechanical or other action or any other means by the user thereof with a view to achieving a desirable result through skill or chance or a combination of both, in terms of points, score, measurement of any other characteristic of the machine, device or contrivance but does not include a pinball machine;

(b) "amusement machine parlour" means a premises or place on a premises where four or more amusement machines are kept for the amusement of the users thereof;

(ba) "billiard parlour" means a premises or place on a premises on which there is one or more billiard tables or pool tables for hire or gain;

(c) "bingo parlour" means a premises or place on a premises used as a public hall for the assembly of persons playing bingo;

(d) "pinball machine" means a machine in which a ball, object, thing, or image, or symbol or sign becomes mobile or otherwise active or visible upon being activated or called into existence or use by mechanical or other action or any other means so as to mechanically or otherwise project the ball, object, thing, or image, or symbol or sign through skill or part skill and part chance of the user thereof, upon or under a surface, or on a screen or other viewing surface within a full or part enclosure or not within an enclosure, with a view to achieving a desirable result in terms of points, score, measurement or any other characteristic of the machine, device or contrivance;

(e) "pinball machine parlour" means a premises or place on a premises where four or more pinball machines are kept for the amusement of the users thereof;

(f) "place of amusement" includes a bingo parlour, pinball parlour, amusement machine parlour and all other places of amusement;

(g) "proprietary club" means all clubs other than those in which the use of any billiard, pool or bagatelle table is only incidental to the main objects of the club;

(h) "public hall" means a building, including a portable building or tent that is offered for use or used as a place of public assembly but does not include;

(i) a theatre within the meaning of The Theatres Act; or

(ii) a building, except a tent used solely for religious purposes.

1a. No person shall for profit or gain and no proprietary club shall, directly or indirectly keep;

(a) or have in his or its possession or on his or its premises any billiard, pool or bagatelle table;

(b) or have any billiard, pool or bagatelle table whether used or not, in a house or place of public entertainment or resort;

without separate licences entitling him or it to do so.

1b.(1) Except as provided in section 1d, no person shall carry on or operate;

(a) an exhibition held for hire or gain; or

(b) a theatre; or

(c) a music hall; or

(d) a bowling alley; or

(e) a moving picture show; or

(f) a public hall; or

(g) any place of amusement,

without a separate licence entitling him to do so for each of the trades, callings, businesses or occupations mentioned in clauses (a), (b), (c), (d), (e) and (f), and as mentioned in clause (g) in accordance with subsection (2).

(2) Every person who operates a place of amusement shall take out a separate licence for each of the following trades, callings, businesses or occupations:

1. A bingo parlour.

2. A pinball parlour.

3. An amusement machine parlour.

4. Any other place of amusement.

1c.(1) No person shall carry on or operate:

(a) an exhibition of waxworks; or

(b) a menagerie; or

(c) circus-riding; or

(d) any other like shows usually exhibited by showmen including a carnival;

without a separate licence entitling him to do so for each of the separate trades, callings, businesses or occupations mentioned in clauses (a), (b) and (c) and for each like show usually exhibited by showmen and for a carnival as mentioned in clause (d).

(2) No person shall carry on or operate a roller skating rink or other places of like amusement without a separate licence entitling him to do so for:

- (a) a roller skating rink;
- (b) each other place of like amusement.

(3) Except as provided in section 1d, no person shall carry on or operate:

- (a) a merry-go-round; or
- (b) a switchback railway; or
- (c) a carousel; or
- (d) any other like contrivances;

without a separate licence entitling him to do so for each of the separate trades, callings, businesses or occupations in respect of the contrivances mentioned in clauses (a), (b) and (c) and in respect of any like contrivance referred to in clause (d).

1d. No licence shall be required for any exhibition or travelling show or any other show or performance held in a licensed theatre or public hall.

2. Every application for a licence for any public hall or place of amusement shall include particulars of the financial responsibility of the applicant.

Licence Certificate

3. On every licence certificate for a public hall or other place of public assembly shall be shown the maximum number of persons who may be lawfully accommodated in each room or part to be used for public assembly.

General Requirements

4. Every person carrying on or operating any exhibition, show, public hall, place of amusement or amusement contrivance for which a licence is required under this Schedule shall be responsible that the following requirements are observed, namely;

(a) Advertising. There shall not be published, displayed or distributed any advertising matter which is vulgar or indecent;

(b) Condition of Premises. The premises shall be kept clean and orderly and maintained in all respects reasonably suitable for the purpose for which they are used, and, in particular, while open for business and for the period of at least one-half hour before and after, the same shall be kept suitably lighted and ventilated, adequate sanitary facilities shall be available, and no snow or ice shall be allowed to accumulate on any fire escape

or other means of egress in such manner or to such an extent as to create any unnecessary danger;

(c) Hours. Save as hereinafter otherwise provided or as otherwise specifically authorized by law or as provided by by-law of the City Council under The Lord's Day (Ontario) Act, the premises shall be closed at 11:45 o'clock in the afternoon on Saturday and remain closed until eight o'clock in the forenoon of the following Monday, and shall be closed and remain closed on all other days from twelve o'clock midnight until eight o'clock in the forenoon of the following day;

(d) Conduct on Premises. There shall not be allowed in or about the premises any disorderly or unseemly conduct;

(e) Obstructing Highway. All necessary measures shall be taken to prevent any obstruction of the highway by patrons; and

(f) Fire or Panic. In case of fire, panic or other emergency or untoward incident, the police and fire departments shall be notified promptly, and there shall be taken such other precautionary or protective measures as may be reasonably needful under the circumstances.

4a. Every person to whom this Schedule applies shall take out a separate licence for the carrying on or operation of each exhibition, show, public hall, place of amusement or contrivance mentioned in clauses (a), (b), (c), (d), (e) and (f) of subsection 1(3).

Special Regulations

5. (1) Bowling Alleys. Notwithstanding the provisions of section 4 of this Schedule respecting hours, the business hours of a bowling alley on Monday, Tuesday, Wednesday, Thursday and Friday may be extended until one o'clock in the morning of the following day, but the keeper shall be responsible,

(a) that no person under the age of fourteen years shall be allowed to be on the premises after nine o'clock in the afternoon or before eight o'clock in the forenoon of any day unless accompanied by one of his parents or a responsible adult.

(2) Public Halls. Every keeper of a public hall shall be responsible that the following requirements are observed, namely:

(a) Undesirable Activities. No indecent or disorderly performance or other such undesirable activity shall be allowed;

(b) Dances. When dancing is held in a public hall, other than a bona fide private dance held by a private person or a bona fide religious, charitable, patriotic or fraternal organization,

(i) (Repealed);

(ii) (Repealed);

(iii) Notwithstanding the provisions of section 4 of this Schedule

respecting hours, the premises shall be closed at 11:45 o'clock in the afternoon on Saturday and remain closed until one o'clock in the afternoon of the following Monday, and during the remainder of the week the premises shall be closed at one o'clock in the forenoon and shall remain closed until one o'clock in the afternoon of the same day.

Provided that nothing herein shall be deemed to prohibit the continuance of any dance on New Year's Eve, until three o'clock of the following morning.

(3) Rebound Tumbling Establishments. Every operator of a rebound tumbling establishment shall be responsible that the following requirements are observed, namely:

(a) The premises and equipment shall in all respects be suitable for the purpose and so maintained, and without limiting the generality of the foregoing there shall at all times be readily available a telephone and a suitable first-aid kit;

(b) At all times when the establishment is in use there shall be at least one trained and competent supervisor in attendance for each twelve tumbling units or fractional part thereof, and all necessary measures shall be taken to prevent obstruction of the highways;

(c) All injuries or mishaps shall as soon as possible be reported to the medical officer of health and the Chief Licence Inspector, and proper records of the same kept; and

(d) No equipment shall be allowed to be used by any person under the influence of alcohol, or who is otherwise not in fit condition, or by any child under eight years of age unless in the immediate company of his parent or of some other competent and responsible person.

(3a) Bingo Parlours. Notwithstanding clause 5(2)(b)(iii), no person shall carry on or operate a bingo parlour except between the hours of 8:00 in the forenoon and 1:00 in the forenoon of the following day.

(4) The premises of a moving picture theatre shall not be required to close at twelve o'clock midnight preceding a statutory holiday or a holiday fixed by proclamation and when such holiday, except Remembrance Day, falls on a Sunday, the premises shall not be required to close at twelve o'clock midnight on the Monday following the holiday;

(4a) where subsection (4) applies, the premises of the moving picture theatre shall close after any complete presentation of a moving picture show after midnight but, in any event, not later than 3:00 in the forenoon of the next day following the preceding midnight.

(4b) The premises of a moving picture show shall be closed not later than twelve o'clock midnight on Saturday and remain closed until eight o'clock in the forenoon of the following Monday, and shall be closed and remain closed on all other days from one o'clock in the forenoon until eight o'clock in the forenoon of the same day.

5a. The premises of the following places of amusement or entertainment shall be closed and remain closed on all other days except Saturday, as follows:

1. Theatres, other than moving picture theatres or shows, from one o'clock in the forenoon until eight o'clock in the forenoon of the same day.

2. Roller Rinks, from one o'clock in the forenoon until six o'clock in the forenoon of the same day.

3. Arenas, from one o'clock in the forenoon until six o'clock in the forenoon of the same day.

4. Billiard Parlours, from three o'clock in the forenoon until eight o'clock in the forenoon of the same day, except that any pinball machine and amusement machine on the premises shall be closed and remain closed from twelve o'clock midnight until eight o'clock in the forenoon of the following day.

5b. No person to whom a licence has been issued to carry on or engage in the business of a billiard parlour shall permit or cause to be permitted any person less than 14 years of age to be within the billiard parlour after nine o'clock in the afternoon and before eight o'clock in the forenoon of the following day.

6. The licence fees are provided in section 15 of Schedule 45 of this by-law.

REFRESHMENT VEHICLES

1. In this Schedule,

(a) "refreshment vehicle" means a motor vehicle or other vehicle from which refreshments are sold for consumption by the public, and includes,

(i) "lunch vehicle", which means a vehicle from which food is sold, other than ice cream, frozen desserts and other frozen confections; and

(ii) "ice cream vehicle", which means a vehicle from which is sold ice cream, frozen desserts or other frozen confections.

Licence Required

2. No person shall in the City of Hamilton carry on the business of selling for consumption by the public, refreshments from a vehicle, without a licence entitling him so to do.

3. Every application for a licence shall show which class of licence is applied for, the type of motor vehicle or other vehicle proposed to be used, and particulars of the applicant's financial responsibility.

4. On every owner's licence certificate shall be shown the identity of the one motor vehicle or other vehicle for which the licence is granted and a separate licence shall be required for each vehicle.

Lunch Vehicle and Equipment

5. Every person carrying on business with a lunch vehicle shall be responsible,

(a) that it is of a suitable commercial type, with the food compartment wholly enclosed and self-contained; and

(b) that it is equipped with a suitable refuse container.

Ice Cream Vehicle

6. Every person carrying on business with an ice cream vehicle shall be responsible,

(a) that it is of a suitable commercial type, and equipped with a suitable compartment suitably refrigerated, for all ice cream and other frozen food carried;

(b) that there is conspicuously displayed on the rear the warning "WATCH FOR CHILDREN", in readily legible black letters at least six inches high, on a yellow background;

(c) that it is equipped with two or more amber lights on top, so placed as to be readily visible by a person five feet in height standing four feet in front of or behind the vehicle,

and equipped with a device to keep the lights flashing while the vehicle is stopped for the sale of food; and

(d) that every rear bumper shall have such a cover on such an angle as to prevent a child from standing or sitting on it.

Owner's Duties

7. Every person carrying on a business for which a licence is required under this Schedule shall be responsible,

(a) that the Chief Licence Inspector and the Chief Constable are notified in writing within six days of any change of address of the licensee or business;

(b) that no vehicle or motor vehicle is used in his business except one the use of which is authorized by a licence issued under this by-law;

(c) that no such vehicle or motor vehicle is used when not in safe driving condition, and that it is inspected by the police at least once in each calendar year;

(d) that no such vehicle or motor vehicle is used for business without having affixed to the right hand side thereof, in a position in which it may most readily be seen, the City's current licence plate, and having no other licence number showing except the current provincial licence number or numbers; and

(e) that no such motor vehicle is driven by any person not currently holding a chauffeur's licence, and that every such vehicle and motor vehicle while being used in the business is under the charge of a person at least 16 years of age and competent and otherwise suitable for the purpose.

Drivers' Duties

8. Every driver of a refreshment vehicle shall be responsible for the observance of the following rules:

(a) He shall report at once to the Chief Licence Inspector and to the Chief Constable when the vehicle is not in safe driving condition, and shall refrain from driving it again until it is safe to do so;

(b) He Shall not cry his wares or sound any chimes or other audible means of recognition while the vehicle is in motion, or for more than five seconds at intervals of not less than five minutes, or in any residential area after eight o'clock in the evening or before eight in the morning;

(c) He shall not stop for the sale of any products,

(i) within 5 feet of an intersection;

(ii) within 100 yards of any eating establishment, school ground, recreation ground, playground or public park; or

(iii) for more than ten minutes at any one location on a residential street; or

(iv) without being properly parked;

(d) He shall not serve any customer who is standing in the roadway;

(e) Immediately before putting his vehicle in motion after having been stationary for the sale of products, he shall make a complete safety tour around the vehicle;

(f) He shall not unnecessarily do any washing or repairing of a vehicle in a street, alley or other public place;

(g) At all times while his vehicle is stopped for the sale of food, he shall be responsible that the lights required by section 6 are kept flashing; and

(h) He shall report at once to the Chief Licence Inspector every accident or other mishap which has occurred with respect to the vehicle, or otherwise in connection with the carrying on of the business.

Prohibition

9.(1) Except as provided in subsection (2), no person shall sell fruit, candy, peanuts, ice cream or ice cream cones from a basket or wagon, cart or other vehicle, upon the roadway of any street, or upon any part of the street allowance of any street other than a residential street.

(2) Nothing in this Section applies to a farmer, market gardener or other person selling or delivering goods at any place of business or residence upon such highway or part thereof.

10. The licence fees are provided for in section 16 of Schedule 45 of this by-law.

SCHEDULE 17

SALVAGE AND SECOND-HAND GOODS BUSINESSES

Application of Schedule

- 1.(1) The provisions of this Schedule shall not be deemed,
- (a) to apply to the business of buying and selling articles commonly recognized as valuable antiques or works of art; or
 - (b) to require the reporting of the purchase or sale of waste paper, rags, bones or bottles, or of used tires, or of ferrous metal scrap which is obviously scrap, or to require the retention of any such goods for any specified period; but the exception provided in this clause does not extend to any motor vehicle or part thereof.
- (1a) For the purpose of this Schedule a salvage yard includes an automobile wrecking yard or premises.
- (2) The provisions of subsection 2(1) do not apply to any person engaged in the business for patriotic or charitable purposes.
- (3) The provisions of section 4, clauses 6(a) and 6(d), and clause 7(a) do not apply to a person who deals in second-hand goods, only to the extent of receiving traded-in articles the value of which is applied on account of the purchase price of new goods of a like kind being sold by him in the usual course of his business to the owner of such second-hand goods.

Licence Required

- 2.(1) No person shall carry on or engage in the business of a salvage shop, salvage yard, second-hand goods shop or dealer in second-hand goods without a licence under this by-law entitling him so to do.
- (2) Every person required to obtain a licence shall obtain a separate licence with respect to each and every shop, store, yard or other premises used for the transaction of business or for receiving, keeping or storing salvage or second-hand goods.

Classes of Licence

- 3.(1) Any licence required under this Schedule may be issued to authorize the licensee to deal in one class only of second-hand goods or in more than one class as may be specified, and no person shall deal in any class of second-hand goods not covered by his licence.
- (2) Second-hand motors, cash registers, typewriters and adding or other business machines shall constitute a separate class.

Record Book and Reports

4.(1) Every person carrying on or engaging in the business of a salvage shop, salvage yard, second-hand goods shop or dealer in second-hand goods shall, without delay, at the time when any salvage or second-hand goods are purchased, taken in exchange, received on consignment or otherwise received or acquired in any manner whatsoever, enter in the Record Book in ink or indelible pencil and in a plain and easily readable hand and in the English language, a record of all such salvage and second-hand goods (except waste paper, rags, bones and bottles, and used motor vehicle or bicycle tires, and ferrous metal scrap which is obviously scrap), the date and time, the price or other consideration given, and the name and address of the person from whom they were so purchased, taken in exchange or otherwise obtained, together with the current licence number of the motor vehicle, if any, in which such salvage or second-hand goods were brought; and, in the case of tools purchased or otherwise obtained, the record shall include a proper description of the same, including the name of the manufacturer, and the identifying number or initials, if any.

(2) Every person carrying on or engaging in any of the said businesses shall deliver at the office of the Chief Constable before two o'clock in the afternoon daily, except on Sundays and public holidays, a true copy of the entries in the Record Book relating to all such transactions which have taken place since the transaction last so reported; and whenever there is reason to suspect that any goods or articles may have been stolen, all readily ascertainable particulars of the same and of the person offering the same shall be included in the said report.

(3) Goods redeemed on pawn tickets shall be treated as purchased and so entered, by every person engaging in any such business; and in entering bicycles the name of the maker and the serial number shall be recorded; and in the case of a used motor vehicle or wrecked motor vehicle purchased, taken in exchange or otherwise obtained, there shall be entered in the Record Book the name of the maker, all serial numbers and the current or previous year's motor vehicle licence number, if any.

(4) The said Record Book shall be and remain the property of the City and shall be returned to the City by the licensee at any time on demand, and in any event immediately before the expiry of the licence, whether by revocation or otherwise; and the licensee shall take all necessary precautions to guard against its loss, destruction or mutilation.

(5) When any Record Book is delivered to the City at any time during currency of the licence, the secretary shall supply to the licensee another Record Book which shall be kept and used in the same manner by the licensee at all times while he is without the former Book.

(6) All information in said Record Books and Reports shall be confidential to the City, the Chief Constable and those members of the police force authorized to peruse the same and shall not be communicated to any other person except as it may be required to be given in evidence.

Purchasing from Minors

5. No keeper of a second-hand goods shop or salvage store or shop shall directly or indirectly purchase from, exchange with or receive in pledge from any minor appearing to be under the age of eighteen years, without written authority from a parent or guardian of such minor, any metals, goods or articles.

Miscellaneous Regulations

Second-Hand Goods Shops, and Salvage Shops and Yards

6. Every keeper of a second-hand goods shop or of a salvage shop or salvage yard shall be responsible,

(a) Period of Retention of Goods. That all salvage and second-hand goods purchased, taken in exchange or otherwise obtained, including goods obtained from a dealer in second-hand goods, shall be retained in unchanged condition and exposed to public view in his shop or yard in the City of Hamilton for a period of at least fourteen days thereafter, exclusive of Sundays and public holidays, and that the same shall be kept clearly separated in location during the whole of such period, from all goods previously purchased, and that none of the same shall be sold or otherwise disposed of until after the expiration of the said period;

(b) Place of Storage, etc. That no salvage or second-hand goods are stored or kept anywhere but at the shop or yard in the City of Hamilton either within a building or within a properly fenced enclosure, that no waste paper or any material likely to blow about the streets is allowed to be deposited or remain where it can do so, and that the whole premises and all salvage and goods therein are kept clean and orderly;

(c) Soliciting on Highway. That there is no soliciting of business from any person that is on a public highway; and

(d) Hours of Business. That no salvage or second-hand goods are purchased, taken in exchange or otherwise obtained on a public holiday, or after eleven o'clock in the afternoon of any day, or before seven o'clock in the morning of any day; and that except during full daylight, there is no collecting or attempted collecting of any goods or salvage, or any passing from house to house along any public or private way, for any such purpose.

Miscellaneous Regulations

Dealers in Second-Hand Goods

7. Every dealer in second-hand goods who does not hold a licence for a second-hand goods shop or a salvage shop or salvage yard shall be responsible,

(a) Hours of Business. That no salvage or second-hand goods are purchased, taken in exchange or otherwise obtained on a public holiday, or after eleven o'clock in the afternoon of any day, or before seven o'clock in the morning of any day; and that except during full daylight, there is no collecting or attempted collecting of any goods or salvage,

or any passing from house to house along any public or private way, for any such purpose;

(b) Retention or Inspection of Goods. That within seven days after the acquisition of any salvage or second-hand goods, either there is delivered to the Chief Constable in writing a list of the same, and such salvage and second-hand goods made available to the police for inspection, or that they are disposed of to the licensee of a second-hand goods shop or of a salvage shop or salvage yard in the City of Hamilton.

8. The licence fees are provided in section 17 of Schedule 45 of this by-law.

SCHEDULE 19

SIGN POSTERS AND BILL DISTRIBUTORS, ETC.

Licence Required

1. No person shall carry on or engage in any of the following businesses or occupations:

- (a) bill poster;
- (b) advertising sign painter;
- (c) bulletin board painter;
- (d) sign poster; or
- (e) bill distributor,

without a licence under this by-law entitling him so to do.

Miscellaneous Prohibitions

2.(1) No person shall post up or distribute any poster, picture or handbill that is indecent or that tends to corrupt morals.

(2) No person required by the provisions of this Schedule to be licensed shall distribute any poster, picture, handbill, printed matter or other paper whether printed or not,

- (a) by handing the same to any person in any highway or other public place; or
- (b) by depositing the same in or on any motor vehicle; or
- (c) by depositing the same on any lawn, verandah or other such place; or
- (d) by depositing the same into any street, alley, park or other public place,

and every such person shall be responsible for any such act of his servant or agent.

3. The licence fees are provided in Schedule 45 of this by-law.

RETAIL STORES SELLING TOBACCO, CIGARS OR CIGARETTES

1.(1) Subject to subsection (3), the keeper of any store where tobacco, cigars or cigarettes are offered for sale by retail shall obtain and maintain in good standing a licence from the City under this schedule, authorizing the sale from the store of tobacco, cigars or cigarettes by retail.

(2) No person shall sell tobacco, cigars or cigarettes by retail from any store, unless a license has first been obtained for that store under subsection (1).

(3) Pursuant to the Municipal Act, R.S.O. 1990, c. M.45, section 216, the keeper of a hotel, within the meaning of that section, is exempt from this schedule.

(4) Where a person being the owner and operator of a store, is the holder of a licence under this schedule as the keeper of such store, no employee of the store need obtain a separate licence.

(5) The Licence Administrator may combine as one document the licence certificate and Form 1, to be posted as a sign in accordance with this schedule.

2. For the purposes of this schedule, the following definitions apply:

(a) "keeper" shall mean a person responsible for the care and management of a store selling tobacco, cigars or cigarettes, and shall include the owner and operator of the store;

(b) "licence holder" shall mean the keeper of a store who holds a current and valid licence under this schedule; and

(c) "store" shall include any building, booth, or stall, or a portion thereof where goods are exposed for sale, and shall include a shop.

Regulations

3.(1) A licence holder under this schedule shall:

(a) display in the store at all times a sign, as shown in Form 1 set out in Appendix "A" hereto annexed which appendix is included in and forms a part of this schedule, on or immediately next to each till or cash register where customers may purchase or pay for any tobacco, cigars or cigarettes;

(b) display the sign required in paragraph (a), so that the contents are in plain view to customers approaching the till or cash register, and containing only the prescribed message, in English, and written in black characters on a white background;

(c) require employees of the store to read the sign required in paragraph (a), prior to commencing work involving the sale of tobacco, cigars or cigarettes, and instruct employees to bring any removal or defacement of the required signs to the immediate attention of the licence holder;

(d) replace with a new sign as required in paragraph (a), any sign which has been removed or destroyed, or where the prescribed message or part thereof has been defaced; and

(e) use for the required signs the sign available from the City, or substitute a sign of equal or greater overall size and letter size and complying in all other respects with requirements of this schedule.

(2) Where any tobacco, cigars or cigarettes are dispensed from a vending machine in the store, the licence holder shall:

(a) display a sign, in the form and content required in paragraphs (1)(a) and (1)(b), on top of or on the front of each machine so that the content is in plain view to customers operating the machine, and the licence holder shall otherwise comply with the requirements of subsection (1); and

(b) locate each machine within the view of the licence holder or employee thereof, while at a till or cash register in the store, so that persons using the vending machine are in plain view and so the licence holder or employee of the store can verify the placement and existence of the signs required in paragraph (a).

(3) Nothing in this schedule shall prevent a licence holder or an employee of the store from refusing service to anyone seeking to purchase tobacco, cigars or cigarettes, or from posting a sign to that effect, in addition to the signs required by subsections (1) and (2).

(4) In addition to the signs required by subsections (1) and (2), the licence holder may display like signs in any language suitable for customers.

4.(1) A licence holder under this schedule shall provide in the store for the use of customers;

(a) at least one container for the disposal of refuse, and,

(b) where smoking is not prohibited in the store, at least one ashtray.

(2) The licence holder shall empty the containers required in subsection (1), and any other garbage or ash containers provided for customers, to eliminate overflow of the contents, and shall remove any spillage from the containers.

5. Nothing in this schedule shall operate to prevent a licence holder or an employee of the store, from complying with applicable laws or a court order respecting the removal or control of vending machines made under the Tobacco Restraint Act, R.S.C. 1985, Chapter T-12, as amended, and to the extent of any conflict with the applicable law or such court order the provisions of this schedule are deemed not to apply.

6. The licence fee is provided in section 20 of Schedule 45 of this by-law.

SCHEDULE 21

TOURIST CAMPS, TRAILER CAMPS, AND MOTELS

PART I

Licence Required

1. No person shall operate a tourist camp, trailer camp or motel without a licence under this by-law, entitling him so to do.

1a. In this Schedule,

(a) "tourist camp" includes an auto camp and any parcel of land or premises equipped with cabins used or maintained for the accommodation of the public, and any parcel of land or premises used or maintained as a camping or parking ground for the public whether or not a fee or charge is paid or made for the rental or use thereof; and

(b) "trailer camp" means land in or upon which any trailer or vehicle is placed, located, kept or maintained, which trailer is so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, notwithstanding that such trailer or vehicle is jacked-up or that its running gear is removed, but not including any trailer or vehicle unless it is used for the living, sleeping or eating accommodation of persons therein.

Application of Schedule

2. The provisions of this Schedule do not apply to a trailer camp having no more than one lot, located on land adjoining a dwelling occupied by the father, mother, brother, sister, son or daughter of one of the occupants of the trailer, where all the occupants of the trailer have unrestricted use at all times, of all the facilities of the dwelling except sleeping accommodation.

General Requirements

3. In every tourist camp, trailer camp and motel, the operator shall be responsible,

(a) that a metal garbage container with close-fitting lid is provided for each unit, and the garbage collected at least once per day;

(b) that every unit is equipped with at least one fire extinguisher containing at least one quart of carbon tetrachloride, or one or more extinguishers of at least equal power and efficiency;

(c) that the establishment is provided with at least one ten-pound carbon dioxide fire extinguisher or equal, for every five units, and that no unit is distant more than one hundred feet from the nearest such extinguisher; and

(d) that no open fire is allowed, provided that this shall not be deemed to prohibit the reasonable use of a fire in a properly constructed outdoor fire place, under the direct supervision of and in the presence of a competent person in charge of the same.

PART II

Trailer Camps

4. In every trailer camp, the operator shall be responsible,

(a) that the camp is divided into lots, each lot of an area of at least one thousand square feet and a width at its narrowest part, of at least twenty-five feet;

(b) that each lot abuts upon a driveway of a width of at least thirty feet, and direct and unobstructed access to a highway;

(c) that every driveway is hard-surfaced, well-marked in daytime, and well-lighted at all times other than full daylight;

(d) that every lot is equipped with a sewer connection and an electric outlet, and the boundaries well-marked;

(e) that every camp is well-drained, and provided with at least one public telephone and one sanitary drinking fountain for every twenty-five lots or fraction thereof;

(f) that washing and bathing facilities are provided and properly maintained, with running hot as well as cold water, sufficient to service the needs of the occupants to be accommodated by the number of lots available to be licensed;

(g) that all electric, water and sewage services are properly maintained at all times, and suitable garbage containers provided and properly maintained, and all garbage collected and properly disposed of at least once every day, and the whole area kept clean and orderly at all times;

(h) that no trailer is allowed to be occupied by such a number of persons as to leave less than four hundred cubic feet of airspace for each; and

(i) that each lot in the camp is occupied by only one trailer, except for a lot or lots reserved for the storage of unused trailers which lots do not have more than one connection for sewers.

Duration of Trailer Camp Licence

5. Licences may be granted for a period of one month or longer to the operator of a trailer camp for each lot to be made available for the occupancy of a trailer during the currency of the licence, and he shall not allow any lot to be used for the occupancy of a trailer, without a licence therefor.

Licence Fee

6. The licence fee payable by the operator of a trailer camp for each lot to be made available for the occupancy of a trailer during the currency of the licence is hereby fixed at twenty dollars per month, and all such fees shall be paid in advance.

6a.(1) No licence fee shall be payable under Section 6, where,

(a) a lot is to be made available only for temporary occupancy by persons who continue to maintain elsewhere a usual or normal place of residence; or

(b) a lot is to be made available only for occupancy by a trailer that is assessed under the Assessment Act.

(2) In respect of a lot for which an exemption from licence fees is claimed under subsection (1) the operator shall supply with the licence application, the full names of the occupiers and their address, being their usual or normal place of residence, or the address at which the trailer is assessed.

PART III

Tourist Camps

No Trailers

7. The operator of a tourist camp shall not allow any trailer to be used for living accommodation in any part of the tourist camp, without a trailer camp licence for such part.

Auto Camps

8. Every part of a tourist camp which is used as an auto camp shall be laid out, equipped and maintained by the operator in accordance with the requirements for a trailer camp, except that in lieu of electric and sewer connections for each lot, he shall provide and properly maintain adequate and suitable lighting and sanitary facilities for the camp.

Tourist Cabins

9. Where tourist cabins are provided, the operator shall be responsible that each is situate on a lot having an area of at least one thousand square feet, and that in each cabin there are provided and properly maintained adequate and suitable lighting facilities, sanitary facilities, and at least one lavatory basin, one kitchen sink, and one bath tub or shower bath, with running hot as well as cold water, and that no cabin is allowed to be occupied by such a number of persons as to leave less than five hundred cubic feet of air space for each.

PART IV

Motels

10. Every operator of a motel shall be responsible that it is constructed, equipped, maintained and operated in accordance with the requirements of this Schedule for tourist cabins, except as to lot area.

11. The licence fees are provided in section 21 of Schedule 45 of this by-law.

SCHEDULE 22

TRANSIENT VENDORS AND PERSONS COMMENCING BUSINESS AFTER THE RETURN OF THE ASSESSMENT ROLL

1. In this schedule,

(a) "trade" means trade, business, calling or occupation;

(b) "transient vendor" includes,

(i) persons whose names have not been entered on the assessment roll, in respect of business assessment for the then current year, and who offer goods, wares or merchandise for sale by auction, conducted by themselves or by a licensed auctioneer or otherwise, or who offer them for sale in any other manner; or

(ii) a transient trader; but

(iii) does not include a charitable organization or non-profit group or corporation selling goods, wares or merchandise, the proceeds from which are donated to, or used for charitable objects.

(c) "transient trader" includes any person commencing business in the City of Hamilton who has not resided continuously in the City for at least three months next preceding the time of commencing such business there.

1a. This by-law does not apply to:

(a) The sale of the stock of a bankrupt or an insolvent, within the meaning of any bankruptcy or insolvency Act in force in Ontario, nor to the sale of any stock damaged by or by reason of fire, which is being sold or disposed of within the municipality in which the business was being carried on at the time of the bankruptcy, insolvency or fire, so long as no goods, wares or merchandise are added to such stock; and

(b) The sale of a business to a purchaser who continues the business.

2. Every transient vendor shall obtain and maintain in good standing a licence authorizing the transient vendor to carry on or engage in his trade.

3. No transient vendor shall commence the sale of goods, wares or merchandise until a licence has been issued under section 2.

4. Every applicant for a licence or a renewal thereof shall make the application in person and not by an agent or representative.

5. Every transient vendor shall pay the licence fee before commencing his trade.

6. No licence shall be issued where the fee has not been paid in full at the time of making the application.

7. Every transient vendor shall comply with the following:

(1) Provide the Licensing Committee with the following information before commencing the sale of any goods, wares or merchandise, and of any changes to this information upon oral or written request of the Issuer of Licences:

- (a) Name, and the address of his permanent place of residence;
- (b) Name and address of any other permanent or temporary place from which he conducts his business or part thereof or which serves as a business address;
- (c) Whether any goods, wares or merchandise or any part or class of them offered for sale or to be sold was at any previous time offered for sale or sold in the City or any other place and the locations or addresses of such previous offers or sales and a description of the circumstances of such offers for sales or sales;
- (d) A description of the class or classes of goods, wares or merchandise offered for sale, and where and from whom acquired;
- (e) Names and addresses of all persons employed or associated with him or otherwise acting for or on his behalf in any offer for sale or sale of goods, wares or merchandise;
- (f) Description in detail of the manner, method or technique proposed to be used by him and by any person mentioned in paragraph (2)(e) to be used in any offer for sale and selling the goods, wares or merchandise;
- (g) A statement in writing containing a full description of the goods, wares or merchandise that the applicant proposes to sell or offer for sale under the licence.

(2) Provide the Licensing Committee upon oral or written request of the Issuer of Licences or the Chief Licence Inspector, after commencing sale of any goods, wares or merchandise, with a Statutory Declaration declaring as to:

- (a) the classes of goods sold;
- (b) the manner, method or techniques of offer for sale or sales;
- (c) the date of commencement of any sale and the closing date of the sale;
- (d) the location at which the offers for sale were made and the places at that location where the sales took place;
- (e) the names and addresses of each person engaged in the offering for sale or the sale;
- (f) description and percentage of the goods, wares or merchandise sold and unsold.

8.(1) The licence fees are provided by section 22 of Schedule 45 of this by-law.

(2) The licenses issued under this Schedule shall expire three months from the date of issuance.

(3) The sum paid for a licence shall be credited to the person paying it, or to any purchaser of the business who carries on the business, on account of taxes payable in respect of the business, and in respect of real property taxes on the land used for the purposes of and or in connection of the business if the land is owned by the person carrying on the business, during the year in which the licence was issued and five years thereafter.

(4) Every transient trader shall cause the licence to be prominently and permanently displayed in the transient trader's place of business during the full term in which the transient trader is carrying on business as a transient trader and in default thereof is guilty of an offence.

PET SHOPS

1. In this Schedule,

- (a) "animal" includes animal or bird whether or not exotic or wild and fish;
- (b) "cage" means a cage, tank, container or other receptacle for different species as the case may be;
- (c) "exotic animal" includes any wild mammal or wild bird or amphibian, reptile, fish or offspring thereof not indigenous to the United States and Canada that is not a pet or raised as a pet, but does not include an animal used for research or at a zoological garden;
- (d) "inspector" includes an inspector of the Society;
- (e) "medical officer" means the Medical Officer of Health of the Hamilton-Wentworth Regional Health Unit;
- (f) "pet shop" means a shop or place where animals or birds for use as pets are sold or kept for sale;
- (g) "pet shop keeper" means a person who keeps a pet shop;
- (h) "Society" means The Hamilton Society for the Prevention of Cruelty to Animals;
- (i) "Veterinarian" means a person registered under The Veterinarians Act;
- (j) "wild animal" includes any vertebrate except fish, that live in a wild or natural state in the United States or Canada and which is not subjected to domestication through selective or controlled breeding.

2.(1) There shall be taken out by every pet shop keeper a licence from the City authorizing the pet shop keeper to carry out his trade, calling, business or occupation in the City.

(2) No person mentioned in subsection (1) shall, within the City carry on or engage in the operation of a pet shop until a current and valid licence has been issued to him, entitling him so to do.

(3) Every pet shop keeper shall, upon application for a licence or renewal of a licence, pay to the City the fee fixed by this by-law.

(4) No licence shall be issued where the fee is not paid in full at the time of the application.

3. Every applicant for a pet shop keeper's licence shall take out a separate licence for each pet shop.

4.(1) No pet shop keeper's licence shall be issued by the Licence Committee unless the applicant,

(a) has an educational background relating to animal care and husbandry or equivalent practical experience;

(b) has not been convicted of any offence under sections 444, 445, 446 or 447 of The Criminal Code, or of any similar offence in any other jurisdiction;

(c) produces the written approval of,

(i) the medical officer; and

(ii) the Hamilton Society for the Prevention of Cruelty to Animals,

to the physical content of the shop, the conditions of operation and the quality of care.

(2) Notwithstanding subsection (1), where the applicant satisfies the Licence Committee that the issuance of a licence to him or her would not be contrary to this by-law, a licence may be issued.

(3) (Repealed)

(4) Every application for a licence under this Schedule shall, upon receipt, be submitted by the Licence Administrator to the Society for review and comment.

5. Every pet shop keeper shall comply with the following regulations:

1. Permit only persons to operate or manage a pet shop who are qualified or have comparable practical experience in animal care and husbandry satisfactory to the Society.

2. Permit only persons who are trained to the satisfaction of the Society to attend to the care, feeding and cleaning of animals in the pet shop.

3. Display a sign having in plain letters not less than six inches in height in the English language, the words "Licensed Pet Shop".

4. Display the sign referred to in regulation 3,

(a) over the street door; or

(b) in the lower front window of the premises; or

(c) in another place conspicuous from outside the shop satisfactory to the Licence Committee.

5. Maintain the shop or place of business, or any part thereof or any cage or container or receptacle,

(a) in a sanitary condition; and

(b) in a well ventilated condition; and

(c) in a clean condition; and

(d) free from offensive odours; and

(e) free from dirt, filth, manure, excrement or other offensive matter.

6. Keep the stock of animals in quarters satisfactory to the Society, that are,

(a) sanitary; and

(b) well ventilated; and

(c) well bedded; and

(d) clean; and

(e) at a healthful temperature at all times, required for the particular species of animal;

(f) adequately lighted to permit,

(i) observation of all animals; and

(ii) proper housekeeping.

7. Keep the animals,

(a) in a clean and healthy condition appropriate to the particular species; and

(b) free from infestation, vermin and disease.

8. Keep the animals in cages,

(a) that cannot be easily overturned or contaminated; and

(b) that are equipped with receptacles for food and water.

9. Keep the animals other than birds in cages having floors of either,

(a) solid construction including metal or other impermeable surface; or

(b) wire mesh,

(i) with spaces between the wire mesh smaller than the pads of the animal confined therein; and

(ii) of a sufficient thickness to support the weight of the animal, without bending; and

(iii) so designed to prevent injury to a confined animal.

10. Keep birds in cages having removable metal or other impermeable bottoms of adequate size.

11. Use only cages, containers, or receptacles sufficient in size and height to permit an animal, other than a bird, confined therein to,

(a) stand normally to its full height; and

(b) turn around easily; and

(c) to move about easily for the purpose of maintaining its physical well-being; and

(d) to lie down in a fully extended position.

12. Permit not more than 20 Budgerigars or Canaries or twenty-five Finches to be contained in a single cage with minimum dimensions of 68.6 cm. (27 in.) by 40 cm. (16 in.) by 78.7 cm. (31 in.).

13. Permit not more than 15 Budgerigars or Canaries or twenty Finches to be contained in a single cage with minimum dimensions of 60 cm. (24 in.) by 35 cm. (14 in.) by 40 cm. (16 in.).

14. Each cage containing birds shall be of sufficient size and dimensions to enable each bird to have an amount of perch space for itself which will permit the bird to fully extend its wings in every direction from its perch.

15. Clean and wash the floor or cage bottom thoroughly at least once each day or more often as may be necessary to comply with regulation 5.

16. Locate all animals, other than fish, in cages in the pet shop in such a way as to provide for,

(a) maximum comfort to satisfy the known and established needs for a particular species; and

(b) safeguards to prevent extreme environmental changes; and

(c) preventing undue direct physical contact with the general public.

17. Provide drinking water to animals at least once each day including Sundays and holidays and more often as may be necessary.

18. Maintain a supply of potable water at all times readily available to the animals other than fish.

19. Feed each animal requiring a daily intake of food at least once every 24 hour period including Sundays and holidays, as may be applicable for each species.

20. Provide food for each animal of sufficient nutritive content for the health and wellbeing of the species.

21. Not confine incompatible species of animals in the same cage.

22. Display any animal in a shop or display window,

(a) only at the rear of the windowed space; and

(b) out of draughts; and

(c) out of the rays of the sun.

23. Not sell or offer for sale any animal for use as a pet before its normal weaning age.

24. Not sell or offer for sale any animal for use as a pet that is dyed or to which dye has been applied either externally or through ingestion.

25. Not sell or offer for sale chicks, ducklings, or other live poultry.

26. Not sell or offer for sale chicks, ducklings, or other live poultry as a bonus to a sale or part of a sale of any other goods, products, or services.

27. Keep for sale, sell or offer for sale only animals that are not,

(a) non-human primates;

(b) North American animals, excluding fish, that are,

(a) wild by nature; or

(b) on the endangered species list, unless the animals were bred in captivity.

28. Not sell or offer for sale any sick or diseased animal.

29. Not sell or offer for sale any animal that exhibits,

(a) obvious signs of infectious disease, including distemper, hepatitis, leptospirosis and rabies;

SCHEDULE 24

BAKE SHOPS

Application for Licence

1. (1) Every owner or operator of a shop in which baked goods are made, offered for sale, stored or sold, shall obtain and maintain in good standing a licence from the City, authorizing the use of the premises as a bake shop.

(2) No person shall carry on, or engage in, the business or occupation of operating a bake shop, without first having obtained a licence under this Schedule.

Certificate of Medical Officer

2. No such licence shall be issued until the medical officer gives a certificate that all regulations and conditions have been fully complied with.

3. The amount of the licence fee is provided in section 24 of Schedule 45 of this by-law.

SCHEDULE 25

DRY CLEANING ESTABLISHMENTS, ETC.

Licence Required and Payment of Fee

1. No person shall, in the City of Hamilton, without first paying the amount of the licence fee and obtaining a licence under this by-law, entitling him so to do, use any land,

(a) for the purpose of the business of dry cleaning, dry dyeing or cleaning and pressing, including spotting or stain removing;

(b) for the purpose of the business of spotting or stain removing;

(c) for the purpose of receiving articles or goods to be subjected to any such process hereinbefore in this Schedule mentioned; or

(d) for the purpose of the distribution of articles or goods that have been subjected to any such process aforesaid.

2. The licence fees are provided in section 25 of Schedule 45 of this by-law.

SCHEDULE 26

STORAGE OF PETROLEUM AND OTHER DANGEROUS OR INFLAMMABLE SUBSTANCES

Licence Required and Payment of Fee

1.(1) No person shall, in the City of Hamilton, without first paying the amount of the licence fee and obtaining a licence under this by-law, entitling him so to do, store petroleum, naphtha or other dangerous or combustible, inflammable or explosive substance in quantities of more than eleven kilograms.

(2) Subsection (1) does not apply to motor fuel lawfully stored in an underground tank in a public garage under licence pursuant to this by-law, or to explosive lawfully stored in a magazine under licence granted pursuant to a bylaw of the City Council, or to explosive lawfully kept temporarily, under a permit from the building commissioner.

2. The licence fees are provided in section 26 of Schedule 45 of this by-law.

SCHEDULE 27

LAUNDRIES AND LAUNDRETERIAS, ETC.

Licence Required and Payment of Fee

1.(1) No person shall, in the City of Hamilton, without first paying the amount of the licence fee and obtaining a licence under this by-law entitling him so to do, carry on the business of a laundry.

(2) Subsection (1) shall not apply to or include individuals carrying on a laundry in private dwelling houses.

(3) No person shall, in the City of Hamilton, without first paying the amount of the licence fee and obtaining a licence under this by-law entitling him so to do, carry on a laundreteria, or the business of making available to the public any of the following services or machines, namely washing machines, dryers and dry cleaning machines for use by the public, whether or not such machines are coin operated.

2. The operator of every business of making available to the public the use of any of the following services, or machines, namely, laundreterias and washing machines, dryers and dry cleaning machines for use by the public, including coin-operated washing machines, dryers and dry cleaning machines, shall be responsible to see that there is posted up with the licence certificate a notice signed by him and giving his name, address and telephone number, and the name, address and telephone number of the employee or agent who is in charge of the particular premises, if that person is other than the operator.

3. The licence fees are provided in section 27 of Schedule 45 of this by-law.

SCHEDULE 28

LODGING HOUSES

Interpretation

1. In this by-law, "lodging house" means a lodging house as defined in the licensing provisions of The Municipal Act, where sleeping accommodation is provided for four or more lodgers, and for the purposes of this by-law are classified as follows:

(a) "hostel", which means a lodging house where men only or women only are harboured, received or lodged for hire for a single night or for less than a week at one time, except a hotel, tourist home, private hospital or nursing home;

(b) "second level lodging home" means a house as may be licensed under By-law 80-259, as amended;

(c) "ordinary lodging house", which means a lodging house primarily intended or used as a dwelling, where persons are harboured, received or lodged for hire by the week or more than a week, but not for any period of less than a week, and are accommodated without any separate kitchen, kitchenette or kitchen sink, but excepting a hotel, private hospital, public or private home for the aged, children's home or boarding school;

(d) "tourist home", which means a lodging house primarily intended or used as a dwelling, but where men and women are harboured, received or lodged for hire for a single night or for less than a week at one time, except a hotel, motel, private hospital or nursing home; and

(e) "unclassified lodging house", which means any lodging house not hereinbefore classified, the licensing of which by the council of a local municipality is authorized by the provisions of The Municipal Act.

Licence Required

2.(1) No person shall, in the City of Hamilton, without first paying the amount of the licence fee and obtaining a licence under this by-law, entitling him so to do, keep a lodging house.

(2) Any licence granted shall specify for what class or classes of lodging house it is granted, and no person shall carry on any class of lodging house for which he has not been granted a licence.

(3) Subject to sections 6 and 7 of this Schedule, second level lodging house licences and applications shall be dealt with under this by-law.

Miscellaneous Requirements for Lodging Houses

3.(1) Every lodging house shall be so designed, constructed and equipped as to be suitable in all respects for the purpose for which it is used or intended to be used, and, without restricting the generality of the foregoing,

(a) For every seven persons residing in a lodging house there shall be one water closet, one wash basin and one bath tub or shower bath in a separate room or compartment, and, for an additional fraction of seven, one water closet and one wash basin in a separate room or compartment.

(2) The operator of every lodging house shall be responsible,

(a) That the building and all facilities are maintained and used in accordance with the standards hereinbefore provided, and that the same and all equipment, furniture and furnishings are kept in good repair and in clean and sanitary condition, and that the normal use of all required facilities is available to all lodgers at all times;

(b) That all required means of egress are kept at all times unobstructed and properly lighted;

(c) That every bedstead is of metal, and is set up only in a suitable bedroom or dormitory, and that all bedding is at all times in clean and sanitary condition and otherwise suitable;

(d) That no room used for sleeping accommodation is used in such manner as to provide less than 600 cubic feet of air space and 75 square feet of floor space for each person of 16 years of age or over, or less than 480 cubic feet and 50 square feet of floor space for each person under the age of 16 years;

(e) That every required window is readily openable, whether there is mechanical ventilation or not;

(f) That there is available at all times a supply of running hot water to all required facilities for running hot water, from an adequate and suitable hot water tank connected wherever such water supply is available, to the water supply of the city corporation;

(g) That there is provided at all times an adequate supply of clean towels for each individual, and other customary toilet supplies, and that all water-closet accommodation and toilet accommodation is provided without extra charge;

(h) That from the first day of October until the 23rd day of May following, and at all other times when heating may be reasonably necessary for the preservation of health, the temperature of all rooms and halls shall be maintained at not less than 70 degrees Fahrenheit between eight o'clock in the forenoon and ten at night, and not less than 65 degrees Fahrenheit between ten o'clock at night and eight in the morning;

(j) That a register is kept of all residents, showing the name, sex and approximate

age of each lodger, and the date of his admission and departure;

(k) That there is posted up with the licence certificate a notice signed by him and giving his name, address and telephone number, and the name, address and telephone number of the employee or agent who is in charge of the particular premises, if that person is other than the operator.

(3) The operator of every lodging house shall be responsible that every case of communicable disease or death of any lodger is promptly reported to the medical officer of health.

Inspection

4. The medical officer of health and the chief fire prevention officer may at all reasonable times make inspection of any lodging house and of the record book required to be kept and either of the said officials may delegate such duty to any competent subordinate; and any member of the police force delegated to such duty may at all reasonable times make inspection of any tourist home and of the record book required to be kept, and may at all reasonable times when occasion may require, make similar inspection of any other lodging house and record book.

5. The amount of the licence fee for a licence granted under this Schedule, except the fee for a second level lodging house licence, is provided in section 28 of Schedule 45 of this by-law.

6. The provisions of by-law 80-259, as amended, continue to apply to second level lodging houses, including the fees for licences.

7.(1) The issuance, revocation and administration of second level lodging house licences shall be dealt with under the provisions of this by-law.

(2) Sections 3 through 5 of this Schedule, both inclusive, shall not apply to second level lodging houses.

SCHEDULE 29

MASSAGISTS

Licence Required and Payment of Fee

1. No person shall, in the City of Hamilton, without first paying the amount of the licence fee and obtaining a licence under this Schedule, entitling him so to do, engage in the occupation of a massagist.

1a. No licence shall be issued until the applicant applying for a licence produces satisfactory proof that the applicant is registered for the year during which the licence is in force with the Board of Directors of Masseurs.

2. Every massage parlour shall be sufficiently suitable for the purpose, and the operator of the same shall be responsible that it is open for inspection at all reasonable times, by the medical officer of health or by an inspector acting under his or her instructions.

3. The amount of the licence fee is provided in section 29 of Schedule 45 of this by-law.

SCHEDULE 30

PAWNBROKERS

Application for Licence

1. No person shall engage in the occupation or business of a pawnbroker, without paying the amount of the licence fee, and obtaining a licence under this Schedule and as prescribed by the Pawnbrokers Act, R.S.O. 1990, c. P.6 entitling him or her so to do.
2. No licence certificate for a licence granted under the provisions of this Schedule shall be issued except under the hand of the city treasurer, acknowledging receipt of the amount of the licence fee, and of the security required by the said Act to be furnished to the municipality to the satisfaction of the city treasurer.
3. The amount of the licence fee is provided in section 30 of Schedule 45 of this by-law.

SCHEDULE 31

PUBLIC BATHS

Licence Required

1. No person shall, in the City of Hamilton, keep any class or classes of public bath premises operated for profit, without first paying the amount of the licence fee and obtaining a licence under this by-law, entitling him so to do.
2. The amount of the licence fee is provided in section 31 of Schedule 45 of this by-law.

SCHEDULE 32

PUBLIC GARAGES

1. In this by-law,

(a) "public garage" means a public garage within the meaning of the licensing provisions of The Municipal Act.

2.(1) No person shall in the City of Hamilton, carry on the business of a public garage without first paying the amount of the licence fee and obtaining a licence under this by-law, entitling him so to do.

(2) Every person required to obtain a licence under this Schedule shall be required to obtain a separate licence with respect to every class of public garage carried on, and with respect to every separate premises.

(3) Every licence is personal to the holder thereof and is not transferable.

Classes of Licence

3.(1) Any licence entitles the licensee to carry on only such class or classes of public garage as may be specified, and the licensee shall not be entitled to carry on or engage in any class of public garage for which he has not been granted a licence.

(2) The various classes of public garage shall be as follows:

(a) "Garage A" a building or place where motor vehicles are stored or kept for sale;

(b)(i) "Garage B1" a building or place used as a motor vehicle repair shop, including body and fender repairs;

(ii) "Garage B2" a building or place used as a motor vehicle repair shop excepting body and fender repairs; and

(iii) "Garage B3" a building or place used as a motor vehicle repair shop for body and fender repairs only;

(c) "Garage C" an automobile service station within the meaning of the licensing provisions of The Municipal Act, or a building or place where gasoline or oils are stored or kept for sale, except a retail store where any such gasoline or oils are sold in sealed containers only;

(d) "Garage D" a parking station or a parking lot; Provided that the renting of parking space for not more than five motor vehicles, by the operator of an automobile service station licensed as such under this by-law, shall not be deemed to bring any such automobile service station within this class;

(e) "Garage E" a building or place used for washing or cleaning motor vehicles, excepting a licensed public garage without special equipment capable of washing or cleaning more than fifteen motor vehicles in one day.

3a.(1) For the purpose of this section, "car wash" means a building or place used for washing or cleaning motor vehicles as defined in paragraph 3(2)(e).

(2) "car wash, manual", shall mean a vehicle wash wherein the motor vehicle does not move during washing or is washed only manually by a person but without insertion of a coin into a vending machine or receptacle to commence or continue the washing process.

(3) "car wash, mechanical", shall mean a vehicle wash wherein the vehicle is driven or towed into the washing bay and does not move during any one or more phases of the washing process and is washed by equipment that is stationary or moves about the vehicle, but without the insertion of a coin into a vending machine or receptacle to commence or continue the washing process.

(4) "car wash, coin-operated", shall mean a vehicle wash wherein the vehicle is washed either manually or mechanically only upon the insertion of a coin in a vending machine or receptacle to commence or continue the washing process.

(5) "car wash, high-speed mechanical", shall mean a vehicle wash wherein the vehicle is moved by, on, or along a conveyor system during different phases of the washing process.

Application for Licence

4.(1) Every application for a public garage licence shall be in writing and shall show the applicant's name and postal address, the name and address of the public garage or proposed public garage, the class or classes of licence applied for, and a sufficient description of the premises used or proposed to be used, together with sufficient particulars of his arrangements for carrying on the business, and shall be made to the City Council by filing it at the office of the city clerk, together with six true copies.

(2) Save where a similar licence was in force for the previous year with respect to the same premises and there is no change in the relevant information, the application shall be accompanied by a satisfactory plot plan signed by the applicant, with six true copies, based on a registered plan of survey if any, and otherwise in accordance with the actual property lines, drawn to a scale of ten feet to the inch where the area of the site is 25,000 square feet or less, and otherwise to a scale of twenty feet to the inch.

(3) In the case of a parking lot, the plan shall be substantially in accordance with the form of plot plan and showing,

(a) Location of the premises, position of adjacent street lines, sidewalks, boulevards, fire hydrants, poles and driveways, and the position and type of use of adjacent buildings, structures and premises, all according to scale and including an indication of the north point;

(b) The drainage system and type and specifications of surfacing of all outdoor areas to which motor vehicles will have access, together with complete grade levels and the location and dimensions of all catch-basins and other drainage facilities, the location and dimensions of all fuel pumps and islands, and of all barriers, signs, poles, trees, buildings, structures and things above the level of the

paving, and of all access driveways, manoeuvring space and parking spaces, entrances, exits and ramps;

(c) In the case of any building or structure, the location of the vehicular and pedestrian entrances and exits, the entrance and exit driveways, the location and grade of ramps within the premises giving access to or from the ground level, the location and size of receiving and exit areas, and where parking tickets or car washing tickets are to be issued, the location and nature of ticket-issuing points; and

(d) Landscaping where such is required by Zoning By-law No. 6593 and any amendments thereto.

(4) The form of every plot plan other than one for a parking lot shall also be in accordance with the scale and general principles above provided for parking lots.

5. Whenever a licence has been granted for any public garage and the business so authorized has not yet been commenced as a regular business within one calendar year following the issuing of the licence, a public garage licence shall not again be issued for the location in question unless and until a new application has been made and the circumstances of the delay dealt with in a report to City Council accompanying the application for a new licence; and in the case of every public garage licence issued, the following words shall appear on the face of the licence:

"If the business authorized by this licence has not been commenced on a regular basis within twelve months from date of issue, a new licence will not be issued until the circumstances of the delay have been reviewed by the City Council."

Miscellaneous Regulations for All Public Garages

6.(1) Every public garage shall be so designed, constructed and equipped as to be suitable in all respects for the purposes for which it is used or intended to be used, and without restricting the generality of the foregoing,

(a) All grades and drainage facilities shall be such as to prevent drainage to any street, sidewalk or other adjoining land;

(b) All lighting facilities shall be such as not to cause annoyance from direct glare, to persons on the street or on adjoining land;

(c) All means of ingress and egress shall be in accordance with the plans submitted with the application for licence, or as subsequently authorized and, wherever there is a public sidewalk or curb, shall be by means of an approach ramp installed in accordance with the provisions of the Streets By-law; and

(d) Every sign shall be so located, and shall have such content, colour and design as not to create any unusual hazard or confusion to any pedestrian or to any driver of a motor vehicle.

(2) The operator of every public garage shall be responsible,

(a) that all signs and required facilities are maintained in conformity with the requirements hereinbefore set forth;

(b) that save as may be otherwise lawfully authorized by a licence to use part of the boulevard for the parking of vehicles and motor vehicles, no part of any street, public lane or other public place is used for the parking or manoeuvring of motor vehicles, or in any other manner as if it were part of the public garage premises;

(c) that there is no outside storage except of whole motor vehicles in operating condition;

(d) that the premises are kept in an orderly and clean condition, without any scrap, debris or refuse left lying about; and

(e) that prompt report is made to the chief constable, of any motor vehicle which he may have reason to suspect is either stolen or abandoned.

Additional Requirements for Parking Stations and Parking Lots

7.(1) Every parking station and parking lot shall be so designed, constructed and equipped as to be suitable in all respects for the purposes for which it is used or intended to be used, and, without restricting the generality of the foregoing,

(a) All outside areas to which motor vehicles will have access shall be suitably surfaced with,

(i) hot-mix asphalt on macadam base; or

(ii) asphalt penetration top on macadam base; or

(iii) concrete; or

(iv) crushed stone or slag suitably treated so as to make it dust-free, and to prevent it from spilling or spreading into any street or other adjoining land; or

(v) other as suitable material;

(b) Save as may be otherwise lawfully authorized by a licence to use part of the boulevard for the parking of vehicles and motor vehicles, all parking spaces and all outside areas to which motor vehicles have access, except exits and entrances, shall be provided with barriers at least twenty inches high, so designed, constructed, located and otherwise suitable as to prevent any part of a motor vehicle from projecting over any part of a street, public lane or other public place, or within three inches of the boundary of any other adjoining land;

(c) There shall be provided at each entrance where it may readily be seen by every driver of a motor vehicle about to enter the premises, a suitable sign no nearer to the ground than seven feet, and no farther from the ground than twelve feet, bearing in clear and legible letters and figures no less than four and no more than twelve inches high, the name of the operator, his business address, and the hours

and rates for the parking of motor vehicles; and

(d) There shall be provided the required sanitary facilities except where the medical officer of health is satisfied that they are not necessary and has given a written waiver which remains unrevoked.

(2) The operator of every parking station and parking lot shall be responsible,

(a) that all signs and required facilities are maintained in conformity with all applicable provisions hereinbefore set forth;

(b) that every entrance, exit, and access aisle is kept unobstructed for its full length and width, and that all entry, parking and discharge of vehicles is conducted only as indicated on the plans submitted with the application for licence or as subsequently authorized; Provided that this clause shall not be deemed to prohibit a suitable ticket office or automatic control device which does not contribute to congestion or unreasonably obstruct any means of ingress or egress;

(c) that except in the case of a metered or automatically controlled parking station or parking lot, a competent attendant is on duty at all times during business hours as indicated on the sign;

(d) that while no parking spaces are available, a suitable notice announcing that fact is prominently displayed at the entrance; and

(e) that no person is allowed to loiter about the premises.

Additional Requirements for Sales Lots

8.(1) Every place where motor vehicles are stored or kept for sale shall be so designed, constructed and equipped as to be suitable in all respects for the purposes for which it is used or intended to be used, and, without restricting the generality of the foregoing,

(a) All outside areas to which motor vehicles will have access shall be suitably surfaced with asphalt or concrete, or with crushed stone or slag or other as suitable material so treated as to make it dust free and prevent it from spilling or spreading onto any street or other adjoining land; and

(b) Save as may be otherwise lawfully authorized by a licence to use part of the boulevard for the parking of vehicles and motor vehicles, all parking or storage areas shall be equipped with barriers as hereinbefore required for a parking lot, so designed, constructed and located, and otherwise suitable, as to prevent any part of a motor vehicle from projecting over any part of a street allowance or public lane, or within three inches of the boundary of any other adjoining land.

(2) The operator of every place where motor vehicles are stored or kept for sale shall be responsible,

(a) that all signs and required facilities are maintained in conformity with all applicable provisions hereinbefore set forth.

9. Every building or place used for washing or cleaning motor vehicles, except a licensed public garage without special equipment capable of washing or cleaning more than fifteen motor vehicles in one day, shall be in all respects suitable for the purpose, and, without restricting the generality of the foregoing,

(a) Wash-racks. Every wash-rack and other equipment for washing or cleaning motor vehicles, except steam-cleaning equipment, shall be located within a building; and

(b) Surfacing. All outside areas to which motor vehicles will have access shall be suitably surfaced with,

(i) hot-mix asphalt on macadam base; or

(ii) concrete; or

(iii) other as hard-surfaced and otherwise suitable material not including loose crushed stone or slag.

10. The licence fees are provided in section 32 of Schedule 45 of this by-law.

SCHEDULE

SPECIAL SALES

1. In this Schedule,

(a) "special sale" means any sale or intended sale of any of the following words or expressions, or combination thereof:

described by the use
ement, contraction or

bankrupt
insolvent
trustee
receiver
liquidation

moving out
selling out
lease expir
closing out
discontinui

or any other similar word or words that represent goods, wares or merchandise are to be displayed in the ordinary course of retail business.

advertise that any
er that is not in the

2.(1) No person shall sell, offer for sale, or advertise wares or merchandise by way of a special sale with

any way, any goods,
entitling him so to do.

(2) Every licensee shall sell, offer for sale, or advertise any goods or merchandise that are listed in the application for renewal of a licence.

y those goods, wares
1 the application for a

3. Every person intending to conduct a special sale in writing in Form 1 hereto annexed as Appendix "A".

and file an application

4. Every application for a licence shall include the following information:

ation:

(a) Name, address, age, occupation and place of the applicant;

nt or place of business

(b) Location of goods, place and date or date range

sale;

(c) Detailed list of goods, wares or merchandise, and the cost price to the owner thereof and appraised value.

red for sale, including value;

(d) Name and address of person or person
date or dates of purchase;

goods purchased and

(e) Particulars of ownership of such goods relationship, if any, between owner and app.

by the applicant and

(f) Particulars of any damage or other det
smoke, water or any other means;

sed to goods by fire,

(g) Particulars of the information to be contained in the advertisement or other advertisement to be displayed, distributed or otherwise made available to the public;

gn, pamphlet, handbill
anced or published by

any means before or during the sale, purporting to indicate the reason for such sale.

5.(1) Every application shall be verified by a Statutory Declaration of the applicant in Form 2, hereto annexed as Appendix "B".

(2) Where the applicant is not the owner of the goods, wares or merchandise, the application shall be verified by a Statutory Declaration of the owner of the goods, wares or merchandise.

6. The applicant shall produce such books, records or other documents or information as the Licence Committee may consider necessary to corroborate the information contained in the application and shall permit the Chief Licence Inspector or a licence inspector to inspect the goods to be sold and to enter and inspect the premises in which such goods are located or in which the sale will be held.

7. Where the Licence Committee is unable to satisfy itself that the facts are in accordance with the Statutory Declaration, the Licence Committee may not issue a licence.

8.(1) Except as provided in subsection (2), every licence issued under this by-law shall be effective from the date of sale shown on the application and shall expire 30 days after the date.

(2) Upon application by the licensee, City Council may:

(a) prior to the expiry of the time mentioned in subsection (1), extend the expiry date of the licence a further 30 days;

(b) prior to the expiry of the further 30 days mentioned in clause (a), extend the expiry date of the licence a further 30 days;

(c) prior to the expiry of the time mentioned in clause (b), extend the expiry date for a further 30 days,

for the further sale of any remaining goods, wares or merchandise described in the original application for a licence.

(3) The applications made under subsection (2) shall contain a detailed list of the goods, wares or merchandise remaining to be sold and shall be verified by a completed Statutory Declaration in Form 3, hereto annexed as Appendix "C".

9. All goods, wares and merchandise for which a licence is issued under this by-law shall be offered for sale:

(a) in a manner physically separating on the premises, the location, area or display of the goods, wares and merchandise offered for sale from any other goods, wares or merchandise not subject to special sale;

(b) in a manner that identifies clearly and conspicuously:

- (i) the location, area or display in premises where the goods, wares or merchandise are offered for sale;
- (ii) the particular itemized goods, wares and merchandise offered for sale;
- (iii) the particular class of special sale for which a licence is issued.

10. The Licence Administrator, if he or she is satisfied that:

- (a) any licensee is selling goods, wares or merchandise by way of special sale and not included in the licensee's application; or
- (b) the licensee has received his licence upon an application containing false information; or
- (c) the licensee has failed to comply with either of sections 9, 14 or 15 hereof,

shall, forthwith, schedule a hearing before the Licence Committee to revoke any licence issued hereunder.

11. The licensee shall permit the inspection, during the currency of the licence, at any time when the premises in respect of which the licence is issued are open for business, to enter and to inspect the premises and the goods to be sold.

12.(1) All advertising material distributed or published in respect to a special sale shall contain statements:

1. Identifying the particular class of special sale.

2. Setting forth that the special sale is held under the authority of By-law No. 66-289 of The Corporation of the City of Hamilton.

3. Whether the special sale deals with all or part of the goods, wares or merchandise located at the premises where the special sale is proposed to be held.

4. That the goods, wares or merchandise in respect of which the licence was issued under this by-law are clearly identifiable at the premises where the special sale is proposed to be held.

(2) The same statements referred to in subsection (1) shall be prominently displayed on the premises at which the special sale is held.

13. This by-law does not apply to a sale by or under the authority of;

- (a) a receiver or trustee under The Bankruptcy Act (Canada) or a liquidator under The Winding-up Act (Canada);
- (b) a court or a receiver appointed by a court;

(c) a bailiff, sheriff, executor or administrator; or

(d) a receiver, liquidator or trustee under any general or special Act.

14. The licence fees are provided in section 40 of Schedule 45 of this by-law.

SCHEDULE 41

PRECIOUS METALS AND OLD JEWELLERY DEALERS

Interpretation

1. In this schedule,
 - (a) "goods" means old gold and other precious metals and old jewellery or other articles that may be smelted and from which gold may be recovered;
 - (b) "metals dealer" means a person who for hire or gain purchases or deals in old gold and other precious metals and old jewellery or other articles for the purpose of smelting the same and recovering gold;
 - (c) "precious metals" includes silver and platinum.

Licence Required

2. Except where the person holds a current and valid licence issued under Schedule 30 of this by-law, no person shall carry on business as a metals dealer without a licence under this by-law, entitling him so to do.

Duties of Metals Dealers

3. Every metals dealer shall comply with the following regulations:
 1. Not alter, repair, change or dispose of or give up possession or give up control or in any way part with any goods purchased or taken in exchange or otherwise acquired, from any person until after the expiration of fifteen clear days, exclusive of Sundays and public holidays from the date of purchase, exchange or other acquisition.
 2. Keep the goods at all times on the licensed premises for the period of fifteen clear days referred to in regulation 1, from the date of purchase, exchange or other acquisition.
 3. Keep the goods on the licensed premises separate from any other goods previously purchased, taken in exchange or otherwise acquired.
 4. Not purchase, take in exchange or otherwise acquire any goods for the purpose of smelting the goods and recovering any gold or other precious metals, from any person apparently under,
 - (a) the age of 18 years; or
 - (b) the influence of liquor.
 5. Keep and maintain a separate and bound record book approved by the Licensing Committee, entitled "Old Gold, Precious Metals and Jewellery Register".

6. Keep and maintain in the record book referred to in regulation 5, a record only of the purchases, exchanges or other acquisitions of goods transacted in whole or in part, directly or indirectly, in the municipality of the City of Hamilton.
7. Enter into the record book referred to in regulation 5, in the English language, legibly written in indelible ink, a record of all goods purchased, taken in exchange or otherwise acquired.
8. Enter into the record book referred to in regulation 5, an accurate description of the goods sufficient to identify the goods, including:
 - (a) the quantity, colour, type and commonly known name and trade name, if any;
 - (b) the name of the maker, manufacturer or any other name and any initials, description of trademark, crest or other symbol, dates and any other inscribed marking;
 - (c) the name, address, full particulars of identification and description of the person from whom the purchase or acquisition, or with whom the exchange was made;
 - (d) the price or other consideration for the goods and a description of the consideration; and
 - (e) the date and exact time the goods were purchased, exchanged or otherwise acquired.
9. Make the entry referred to in regulations 7 and 8, at the time the goods are purchased, exchanged or otherwise acquired.
10. Not remove, render illegible, alter or vary or in any way change any entry referred to in regulations 7 and 8 at any time, without the prior approval of the Licensing Committee.
11. Not remove any page or part thereof from the record book.
12. Not mutilate or otherwise render unreadable, the record book.
13. Not remove the record book from the municipality of the City of Hamilton, without the prior approval of the Licensing Committee.

14. Complete a record card in duplicate for each purchase, exchange or other acquisition, in form and content in accordance with Form 1 at the time an entry is made in the record book and file the duplicate copy with the Chief Constable.
 15. Retain the original record card on file.
 16. Deliver the duplicate copy of the record cards to the Chief Constable not later than two o'clock in the afternoon on the same day that the entry was made in the record book.
 17. Produce the record book immediately upon demand by the Chief Licence Inspector, a licence inspector or a police constable for the purpose of such inspection and reproduction of content as may be required.
 18. Produce the goods recorded or required to be recorded in the record book and kept on the premises in accordance with this schedule, immediately upon demand by the Chief Licence Inspector, a licence inspector or a police constable for the purpose of inspection.
 19. (Repealed).
 20. Carry on the business of a metals dealer only at the place, location or site identified in the licence.
 21. Keep and maintain the place, location or site separate and apart from any other trade, calling, business or occupation carried on upon the premises, by means of counters, partitions, walls or other like barriers.
4. The licence fee is provided in section 41 of Schedule 45 of this by-law.

SCHEDULE 42

BUILDING EXTERIOR CLEANER

1. In this Schedule,

- (a) "building exterior cleaner" means a sandblaster, or other person who for gain uses a cleanser to clean or restore the exteriors of buildings or other structures;
- (b) "cleanser" means chemicals or pressurized air, water, steam, sand or other abrasive;
- (c) "weekdays" means days of the week excluding Saturdays and Sundays;
- (d) "work area" means the area exterior to a building or structure being cleaned or restored that is occupied by a building exterior cleaner.

Licence Required

2. No person shall carry on business of building exterior cleaner without a licence under this by-law entitling him so to do.

Duties of Building Exterior Cleaners

3. Every building exterior cleaner shall comply with the following regulations:

- 1. Provide and maintain barriers separating the work area from pedestrian traffic in the vicinity of the work area.
- 2. Use barriers or other mechanical means to prevent any cleanser from spreading or diffusing beyond the work area.
- 3. Keep and maintain public property adjacent to the work area free and clear of building debris and other materials which are used, created or distributed during the course of the work performed.
- 4. Perform an inspection and clean up, after each work day and after the completion of the work, to remove all debris, sand, abrasive, residue, precipitant, solids, liquids or material which are used, created or distributed during the course of the work performed, from public or private property adjacent to or in the vicinity of the work area.

3a.(1) Every building exterior cleaner shall by notice in writing delivered to the Licence Administrator at least 7 days before commencing to use any cleanser on any building or structure, identify the location of the building or structure and the date and time that use of any cleanser will commence.

(2) Every building exterior cleaner shall in the notice or at any time prior to commencing use of the cleanser, identify particulars of the cleanser, and the manner of its application.

Hours of Operation

4.(1) Every building exterior cleaner shall cease using cleanser on:

(a) weekdays between 5:30 o'clock in the afternoon and 8:30 o'clock in the forenoon of the following day; and

(b) Saturday, Sunday and Holidays.

Licence Fees

5. The amount of licence fee is provided in section 42 of Schedule 45 of this by-law.

SCHEDULE 43

FLEA MARKETS

1. In this Schedule,

- (a) "chief building official" means the chief building official appointed under the Building Code;
- (b) "flea market" means a place, building, or structure on or in which are situated stands at which trades, callings, businesses or occupations are carried on by separate vendors;
- (c) "owner" means a person carrying on or engaging in the business or occupation of operating a flea market and includes a manager, operator, agent and representative;
- (d) "patron" means a person who has entered upon the premises of the flea market;
- (e) "place" includes land and premises on a part of which a building or structure may or may not be situate;
- (f) "stallholder" means a person carrying on or engaging in the business or occupation of operating a stand;
- (g) "stand" means an area in the flea market at which new or used goods are exposed or offered for sale.

2.(1) Every flea market owner shall obtain a licence from the City authorizing the owner to carry on or engage in the business of operating a flea market.

(2) Every stallholder shall obtain a licence from the City authorizing the stallholder to carry on the business of operating a stand, unless otherwise licensed by the City for the sale of goods offered for sale or sold at a stand.

3. No person referred to in section 2 shall carry on or engage in his or her business or occupation unless a licence has been issued and is in force.

3a. A flea market owner, before agreeing to make a stand available for a stallholder's business, shall require the stallholder to produce a current and valid licence for a stand in the market, issued under this Schedule.

4. Every applicant for a licence, or a renewal of a licence shall attend at the office of the Issuer of Licences and make and file an application in person and not by his or her agent or representative.

5.(1) Every applicant who is a flea market owner shall fully complete an application for a licence.

(2) Every applicant who is a stallholder shall fully complete an application for a licence.

SCHEDULE 44

Appendixes and Forms

FORM 1 (APPENDIX "A") TO SCHEDULE 4 : OWNER APPLICATION

FORM 2 (APPENDIX "B") TO SCHEDULE 4 : DRIVER APPLICATION

FORM 3 (APPENDIX "C") TO SCHEDULE 4 : TRANSFER OF PLATE

FORM 4 (APPENDIX "D") TO SCHEDULE 4 : LIMITED INTEREST AGREEMENT

FORM 5 (APPENDIX "E") TO SCHEDULE 4 : TRIP SHEET

FORM 2 (APPENDIX "A") TO SCHEDULE 4a : APPLICATION

FORM 5 (APPENDIX "B") TO SCHEDULE 4a : TRIP SHEET

FORM 1 (APPENDIX "A") TO SCHEDULE 20 : SIGN

FORM 1 (APPENDIX "A") TO SCHEDULE 40: APPLICATION

FORM 2 (APPENDIX "B") TO SCHEDULE 40: STATUTORY DECLARATION

FORM 3 (APPENDIX "C") TO SCHEDULE 40: STATUTORY DECLARATION EXTENSION

FORM 1 (APPENDIX "A") TO SCHEDULE 41: RECORD CARD



FORM 1
APPENDIX "A" TO SCHEDULE 4
OWNER APPLICATION

J. SCHATZ
CITY CLERK

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK
71 MAIN STREET WEST
HAMILTON, ONTARIO L8N 3T4

TEL: 546-2700
FAX: 546-2095

APPLICATION AND STATUTORY DECLARATION
FOR A PRIVATE CAB OWNER LICENCE

(Please Print)

NAME _____

SURNAME

CHRISTIAN OR GIVEN NAME

ADDRESS _____

NAME AND ADDRESS OF BROKER YOU WILL BE ASSOCIATED WITH IF GRANTED A LICENCE

I HEREBY DECLARE THAT I HAVE NOT GRANTED, ASSIGNED, CONVEYED, TRANSFERRED OR OTHERWISE PASSED ON BY SALE, GIFT OR OTHERWISE, THE USE OR POSSESSION OF ANY OTHER LICENCE ISSUED TO ME FOR A PERIOD OF NOT LESS THAN TWO CONSECUTIVE YEARS IMMEDIATELY PRECEDING THE DATE OF CONSIDERATION OF THIS APPLICATION BY THE LICENCE COMMITTEE.

I HEREBY FURTHER DECLARE THAT I AM EMPLOYED FULL-TIME (AS DEFINED IN SECTION 25(2)(A,B) OF BY-LAW 89-249, AS AMENDED BY BY-LAW 89-316) AS A: (Check One)

TAXICAB OWNER (), DRIVER (), DISPATCHER (), TELEPHONE SERVICE OPERATOR ()

AND HAVE BEEN EMPLOYED FOR A PERIOD OF NOT LESS THAN TWO YEARS IMMEDIATELY PRECEDING THE DATE OF CONSIDERATION OF THIS APPLICATION BY THE LICENCE COMMITTEE.

ARE YOU PRESENTLY EMPLOYED OTHER THAN IN THE TAXICAB INDUSTRY _____

NAME OF EMPLOYER _____

IS THE EMPLOYMENT FULL-TIME OR PART-TIME _____

I, _____, do hereby declare that the information given in this application and any supporting documents is true, correct and complete in every respect, AND I make this solemn declaration conscientiously believing it to be true and knowing it is of the same force and effect as if made under oath and by virtue of THE CANADA EVIDENCE ACT.

DECLARED before me at the City of _____)
Hamilton, in the Regional-Municipality))
of Hamilton-Wentworth,)

this _____ day of _____)

_____) _____
) Signature of Applicant

A Commissioner, etc.

APPLICATION FORM

TAXICAB DRIVER

SURNAME: FIRST NAMES:

DATE OF BIRTH TELEPHONE NO.

DRIVER'S LICENCE NO. CLASS

DRIVER'S LICENCE EXPIRY DATE: NO. OF POINTS LOST.....

HISTORY OF RESIDENCE:

ADDRESS	TOWN OR CITY	PROVINCE/STATE	COUNTRY	DATE
---------	--------------	----------------	---------	------

NAME AND ADDRESS OF OWNER OR BROKER WITH WHOM YOU WILL BE ASSOCIATED:

HAVE YOU EVER BEEN CONVICTED OF DRIVING OFFENCE? YES: _____ NO: _____

IF YES, EXPLAIN: _____

HAVE YOU EVER BEEN CONVICTED OF A CRIMINAL OFFENCE? YES: _____ NO: _____

IF YES, EXPLAIN _____

HAVE YOU HAD AN ACCIDENT IN THE LAST THREE YEARS? YES: _____ NO: _____

IF YES, EXPLAIN: _____

HISTORY OF EMPLOYMENT:

EMPLOYER	ADDRESS	TYPE OF WORK	FROM MONTH-YEAR	TO MONTH-YEAR
----------	---------	--------------	-----------------	---------------

****INCORRECT OR OMITTED INFORMATION RENDERS THIS APPLICATION VOID****

I certify the above information to be true to the best of my knowledge.

DATE _____ SIGNATURE OF APPLICANT: _____

SIGNATURE OF OWNER: _____ PLATE NO. _____

SIGNATURE OF BROKER: _____

E. A. SIMPSON
CITY CLERK

K. E. AVERY
DEPUTY CITY CLERK



FORM 3
APPENDIX "C" TO SCHEDULE 4
TRANSFER OF PLATE

CITY HALL
HAMILTON, ONTARIO
L8N 3T4

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

TRANSFER OF TAXI CAB PLATES

IN THE MATTER OF THE TRANSFER OF TAXICAB PLATE NUMBER _____ FROM
_____ TO _____

I, _____, THE PRESENT OWNER OF TAXICAB PLATE
NUMBER _____, HEREBY AGREE TO SELL SAID PLATE TO _____

I, _____, THE PURCHASER OF TAXICAB PLATE
NUMBER _____, DO SOLEMNLY SWEAR THAT THE TOTAL CONSIDERATION IS
AS FOLLOWS:

GOODWILL		
CAR		
METER		
RADIO		
ROOF SIGN	MAKE	YEAR
TOTAL		

SWORN BEFORE ME AT THE CITY OF
HAMILTON, REGIONAL-MUNICIPALITY
OF HAMILTON-WENTWORTH

THIS _____ DAY _____ MONTH _____ YEAR

.....
.....
(A COMMISSIONER, ETC.)

APPENDIX "D" TO SCHEDULE 4
LIMITED INTEREST AGREEMENT

The Corporation of the City of Hamilton

BY-LAW NO. 88-136

LIMITED INTEREST AGREEMENT

THIS AGREEMENT made on the day of
19 .

B E T W E E N:

Hereinafter called the "PLATE OWNER"
of the First Part

- and -

Hereinafter called the "PLATE USER"
of the Second Part

1. WHEREAS THE PLATE OWNER holds a taxi-cab licence but has ceased owning a taxi-cab respecting which the licence was issued;
2. AND WHEREAS THE PLATE USER is the owner of a taxi-cab but is not the holder of a licence respecting a taxi-cab;
3. AND WHEREAS THE PLATE OWNER and the PLATE USER intend herein to enter into this Agreement (hereinafter referred to as a "limited interest agreement") wherein a licence is transferred temporarily by the PLATE OWNER to the PLATE USER.
4. NOW THEREFORE THIS AGREEMENT WITNESSETH in consideration of the mutual covenants and an agreement hereinafter contained, the PARTIES hereto mutually covenant and agree as follows:

A. PLATE OWNER'S COVENANTS AND AGREEMENTS:

1. An interest in City of Hamilton taxi-cab licence hereinafter referred to is hereby transferred to the PLATE USER for a period commencing on the day of , 19 , and ending on the day of , 19 .
2. My full and correct name and business address is .
3. The City of Hamilton taxi-cab licence number and year of issue is .
4. The date on which the licence, which is the subject of this Agreement was issued .

5. Full particulars of all consideration given by me, whether in money or in any other kind, direct or indirect, including fees and/or rental _____

_____.
6. List of all services, rights or other considerations, given by me to the PLATE USER _____

_____.
7. Full particulars of my responsibility for the maintenance, repairs, gas and oil for the taxi-cab _____

_____.
8. Full particulars as to where and how the maintenance, repairs or purchases are to be made and the payments therefor _____

_____.
9. Where the PLATE USER transfers or purports to transfer the limited interest in this Agreement, this Agreement is hereby terminated on the date of the transfer or purported transfer or on the following date _____
_____.

B. PLATE USER'S COVENANTS AND AGREEMENTS.

1. The interest in the City of Hamilton taxi-cab licence hereinbefore referred to and transferred to me by the PLATE OWNER is hereby accepted by me without reservation for a period commencing on the _____ day of _____, 19____.
2. My full and correct name and business address is _____
_____.
3. The make, model, serial number, year and full description of all equipment which is used with the taxi-cab and serial number and year of the equipment, are _____

_____.

4. The motor vehicle permit plate number for the taxi-cab owned by me, issued under THE HIGHWAY TRAFFIC ACT is _____.
5. I am the sole owner in my own right of the taxi-cab respecting which the PLATE OWNER is transferring to me a limited interest in his licence.
6. Full particulars of all consideration given by me, whether in money or in kind, direct or indirect, including fees and/or rental _____

_____.
7. Breakdown of all other amounts given by me to the PLATE OWNER _____

_____.
8. Full particulars of my responsibility for the maintenance, repairs, gas and oil for the taxi-cab _____

_____.
9. Full particulars as to where and how the maintenance, repairs or purchases are to be made and payments therefor _____

_____.
10. I will take out, before using the taxi-cab, insurance in accordance with regulation 3 of section 13 of Schedule 4 of By-law No. 79-323.
11. Upon any transfer or purported transfer, directly or indirectly, the limited interest in this Agreement, this Agreement shall be terminated on the date of the transfer or purported transfer or on the date, if any, fixed by the PLATE OWNER.

C. OTHER TERMS AND CONDITIONS by the Parties hereto set out in SCHEDULE "A" to this AGREEMENT not contrary to By-law No. 79-323.

AND AGREEMENTS:

1. The Agreement herein shall be for a period commencing on the _____ day of _____, 19____ and ending on the _____ day of _____, 19____.
2. This Agreement is made on the following basis -- daily, weekly, monthly, yearly or _____.
3. This Agreement comes into force on the _____ day of _____, 19____.
4. This Agreement shall be deemed to be executed by both Parties hereto and Witnessed on the _____ day of _____, 19____.

IN WITNESS WHEREOF the Parties hereto have affixed their hands and seals

THIS _____ day of _____, 19____.

Witness

PLATE OWNER

Witness

PLATE USER

Note: If insufficient space, please enumerate provision on reverse side of page on which the provision appears and use or add pages and initial and date.

FORM 5
APPENDIX "E" TO SCHEDULE 4: TRIP SHEET

IT IS MANDATORY TO COMPLETE ALL BUT THE SHADED AREAS

Date _____ Driver _____ Cab No. _____

IN		OUT		Trips		TOTAL SALES			
a.m.	mileage	a.m.	mileage			Units			Com. ____ %
p.m.		p.m.				Extras			Gal ____ Gas
Paid Miles		Units				Hourly			Oil
Out _____		_____		Dismiss.		Misc.			
In _____		_____		Misc.		Charges			
Dif. _____		_____		Total		Total Exp.			
							CASH		

Trip	No. Pass.	FROM	TO	\$	¢	\$	¢
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							
21							
22							
23							
24							
25							
26							
27							
TOTAL							

DRIVER'S SIGNATURE

EQUIPMENT FAULTS : BRAKES ☐ STEERING ☐ LIGHTS ☐ EXHAUST SYSTEM ☐
RADIO ☐ METER ☐
CLEANLINESS AND DAMAGE : INTERIOR ☐ EXTERIOR ☐
CHECK : OIL ☐ TRANSMISSION FLUID ☐

APPLICATION FORM

LIVERY DRIVER

SURNAME: FIRST NAMES:

DATE OF BIRTH TELEPHONE NO.

DRIVER'S LICENCE NO. CLASS

DRIVER'S LICENCE EXPIRY DATE: NO. OF POINTS LOST.....

HISTORY OF RESIDENCE:

ADDRESS	TOWN OR CITY	PROVINCE/STATE	COUNTRY	DATE

NAME AND ADDRESS OF OWNER OR BROKER WITH WHOM YOU WILL BE ASSOCIATED:

HAVE YOU EVER BEEN CONVICTED OF DRIVING OFFENCE? YES: _____ NO: _____

IF YES, EXPLAIN: _____

HAVE YOU EVER BEEN CONVICTED OF A CRIMINAL OFFENCE? YES: _____ NO: _____

IF YES, EXPLAIN: _____

HAVE YOU HAD AN ACCIDENT IN THE LAST THREE YEARS? YES: _____ NO: _____

IF YES, EXPLAIN: _____

HISTORY OF EMPLOYMENT:

EMPLOYER	ADDRESS	TYPE OF WORK	FROM MONTH-YEAR	TO MONTH-YEAR

****INCORRECT OR OMITTED INFORMATION RENDERS THIS APPLICATION VOID****

I certify the above information to be true to the best of my knowledge.

DATE _____ SIGNATURE OF APPLICANT: _____

SIGNATURE OF OWNER: _____ PLATE NO. _____

SIGNATURE OF BROKER: _____

Date _____ Driver _____ Cab No. _____

Trip	No. Pass.	FROM	TO	\$	¢	\$	¢
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							
21							
22							
23							
24							
25							
26							
27							
			TOTAL				

EQUIPMENT FAULTS : BRAKES ☐ STEERING ☐ LIGHTS ☐ EXHAUST SYSTEM ☐
RADIO ☐ METER ☐
CLEANLINESS AND DAMAGE : INTERIOR ☐ EXTERIOR ☐
CHECK : OIL ☐ TRANSMISSION FLUID ☐



**The Corporation of the City of Hamilton
By-law No. 92-144**

**WARNING PROHIBITING
SALE OF TOBACCO TO MINORS**

The sale of tobacco to persons under 18 years of age is limited by Federal and Provincial laws, which provide:

Persons under 16 years of age may not purchase or be sold cigarettes or cigarette papers.

Any person or their agent, being the owner of property on which a vending machine is located, may take from any person under 16 years of age, cigarettes, cigars or tobacco which are being purchased from the machine, or which are about to be used by the person under 16.

No one may sell or give tobacco, cigars or cigarettes to someone under 18 years of age for their own use.

Persons being 16 or 17 years of age must supply the written permission of a parent or guardian to purchase cigarettes cigars or tobacco.

PROOF OF AGE MAY BE REQUIRED

FORM 2 (APPENDIX "B") TO SCHEDULE 40 : STATUTORY DECLARATION

The Corporation of the City of Hamilton

Statutory Declaration

(Section 5)

PROVINCE OF ONTARIO) IN THE MATTER OF an application for
) a licence to carry on a special sale
 OF) pursuant to the provisions of By-law
) Number of The Corporation of
 TO WIT:) the City of Hamilton.

I, of the of in the
..... DO SOLEMNLY DECLARE THAT:

1. I am the owner (and applicant) described in the application attached hereto, and as such have knowledge of the statements and information contained therein.
2. The statements and information contained in the said application are true and correct to the best of my knowledge and belief.
3. I am of the full age of twenty-one years.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of "The Canada Evidence Act."

DECLARED before me at)
the of)
in the)
of)
this day of)
A.D. 19)

.....
A Commissioner, etc.

FORM 3 (APPENDIX "C") TO SCHEDULE 40 : STATUTORY DECLARATION EXTENSION

The Corporation of the City of Hamilton

Statutory Declaration
(Section 8(3))

PROVINCE OF ONTARIO) IN THE MATTER OF an application for
OF) a licence to carry on a special sale
) pursuant to the provisions of By-law
) Number of The Corporation of
TO WIT:) the City of Hamilton.

I, of the of in the
..... DO SOLEMNLY DECLARE THAT:

1. I am the licence holder described in licence number..... dated which licence expired on the day of
2. Attached hereto is a complete list of the goods offered for sale under such licence and now remaining unsold.
3. All of such goods were listed on the original application for the said licence and no other goods have been added to or substituted for any of such original goods.
4. The said goods remaining unsold are located at and I request that the said licence be renewed upon the same terms and conditions for a further thirty-day period expiring on the day of

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of "The Canada Evidence Act."

DECLARED before me at)
the of)
in the)
of)
this day of)
A.D. 19)

.....
A Commissioner, etc.

FORM 1 (APPENDIX "A") TO SCHEDULE 41: RECORD CARD

<input type="checkbox"/> PURCHASED <input type="checkbox"/> PAWNED <input type="checkbox"/> PREVIOUSLY PAWNED		<input type="checkbox"/> JEWELLERY <input type="checkbox"/> WATCH <input type="checkbox"/> OTHER		2ND HAND/PRECIOUS METAL/PAWN REPORT SERIAL NUMBER	
DETAILED DESCRIPTION					
CUSTOMER	NAME		AGE	HAIR STYLE	HAIR COLOUR
	ADDRESS		SEX	WEIGHT	HEIGHT
SIGNATURE			AMOUNT	PLEDGE NUMBER	
DEALER			DATE	<input type="checkbox"/> AM <input type="checkbox"/> PM	
PAWN OFFICER'S USE					

100818 MAR80

SCHEDULE 45

FEES

1. Schedule 1 (Auctioneers) : The licence fee for a licence under Schedule 1 is \$80.00. (S.1, s.7)

2. Schedule 2 (Barber and Hairdressing Shops) : The licence fee for a licence under Schedule 2 is \$50.00. (S.2, s.2)

3. Schedule 3 (Retail Butchers and Fishmongers) : The licence fees for licences under Schedule 3 are as follows:

(a) Retail Butcher and Fishmonger, \$50.00; and

(b) Fishmonger Only, \$50.00.(S.3, s.6)

4. Schedule 4 (Taxicabs) : The fees for licences and other matters under Schedule 4 are as follows:

(a) Initial application for entry on the priority list, \$60.00;

(b) Annual renewal of placement on the priority list, \$60.00;

(c) First issuance of a private taxi-cab licence from the Taxi-cab Priority List, \$3,480.00;

(d) Renewal of a private taxi-cab licence, \$210.00;

(e) Transfer of a private taxi-cab licence, \$670.00;

(f) Renewal of a public taxi-cab licence, \$340.00;

(g) Transfer of a public taxi-cab licence, \$670.00;

(h) First issuance of a taxi-cab broker's licence, \$400.00;

(i) Renewal of a taxi-cab broker's licence, \$270.00;

(j) Issuance of a taxi-cab driver's licence, \$50.00;

(k) Filing fee for the initial copy of a limited interest agreement in respect of the first car, \$60.00;

(l) Yearly renewal fee for the initial limited interest agreement in respect of the same first car, \$60.00;

(m) Filing fee for the initial copy of a limited interest agreement in respect of any additional car, \$210.00;

(n) Yearly renewal fee for a limited interest agreement in respect of any additional car, \$210.00;

(o) Filing fee for a copy of a notice or an agreement under section 14(5) of Schedule 4, \$50.00; (S.4, s.33)

(p) Wheelchair Accessible Taxicab (Interated) - Owner Licence and Renewal, \$5.00.

4a. Schedule 4a (Livery Vehicles) : The licence fees for licences under Schedule 4a are as follows:

(a) Livery vehicle owner's licence Class A or B, \$210.00;

(b) Livery vehicle driver's licence, \$50.00;(S.4a, s.16)

5. Schedule 5 (Cartage Businesses) : The licence fees for licences under Schedule 5 are as follows:

(1) For owners of carts and other animal drawn vehicles used for hire for the conveyance of goods or other material, or for the conveyance of passengers, for each vehicle, \$50.00.

(2) For owners and operators of Class "C" licensed cartage vehicles,

(a) Fee for first licence, \$290.00;

(b) Fee for each additional licence, \$70.00;

(c) Fee for renewal of first or additional licences, \$70.00;

(3) For owners and operators of Classes "A", "B", "D", "E", "F" and "G" licensed cartage vehicles, for each licence, \$70.00.(S.5, s.10)

6. Schedule 6 (Drive-Self Rental Vehicles) : The licence fee for a licence under Schedule 6 is \$200.00. (S.6, s.7)

7. Schedule 7 (Driving Schools and Instructors) : The licence fees for licences under Schedule 7 are as follows:

(a) For a person carrying on the business of a driving school, \$50.00;

(b) For a driving school instructor, \$50.00.(S.7,s.7)

8. Schedule 8 (Eating Establishments) : The licence fees for licences under Schedule 8 are as follows:

(a) For a restaurant, \$20.00.

(b) For a lunch counter, \$20.00.

(c) For a refreshment stand, \$20.00.

(d) For a drive-in restaurant, \$20.00.(S.8,s.4)

9. Schedule 9 (Food Shops) : The licence fee for a licence under Schedule 9 is \$10.00. (S.9, s.3)

10. Schedule 10 (Tow-Trucks) : The licence fees for licences under Schedule 10 are as follows:

(a) For a tow-truck owner's licence, per vehicle, \$110.00;

(b) For a tow-truck driver's licence, \$50.00. (S.10, s.9)

13. Schedule 13 (Pedlars) : The licence fees for licences under Schedule 13 are as follows:

(1) For a pedlar,

(a) (Repealed, By-law 84-244);

(b) who travels with a push cart, \$50.00;

(c) who travels with a motor truck, panel truck or station wagon, \$170.00;

(d) who travels on foot with a basket, valise, bag or pack, \$50.00.(S.13, s.5)

15. Schedule 15 (Public Halls and Places of Amusement) : The licence fees for licences under Schedule 15 are as follows:

(1) Billiard Room or Pool Room,

(a) for the first table, \$70.00;

(b) for each additional table over the first table, \$20.00.

(2) Exhibitions for which admission is charged, in other than a licensed theatre or a licensed public hall,

(a) of pictures, paintings, statuary, waxworks or other works of art, or curiosities or other objects of interest, per day, \$14.00;

(b) of performing horses, ponies or dogs, per day, \$37.00;

(c) of a menagerie or trained animal show, circus riding, wild-west show or other like show usually exhibited by showmen, or a carnival, but not including a circus held in a permanent indoor structure per day, \$100.00; and for each side show or other entertainment connected with or associated with each show mentioned in this clause, \$37.00;

(cc) of a circus held in a permanent indoor structure, per day, \$20.00;

(cd) Provided that the total of the daily fees for exhibitions or circuses do not exceed \$500.00.

(d) of a performance of a troupe or company of actors or musicians, or of dramatic or musical performances, for each performance, \$14.00;

(e) of boxing, wrestling or other like performance, for each performance, \$19.00;

(3) Theatre or moving picture show;

(a) for a drive-in, for each car stand, \$30.00;

(b) for other than a drive-in, \$270.00;

(4) Arena, \$270.00;

(5) Bowling Alley,

(a) for the first and second bed, \$60.00;

(b) for each additional bed after the second bed, \$10.00.

(6) Pinball or other Amusement Machine Parlours in which are located 4 or more machines,

(a) for 4 machines, \$200.00;

(b) for each additional machine in excess of 4 machines, \$50.00, provided the licence fee shall not exceed \$2,670.00 per premises.

(7) Bingo Parlour having a seating capacity of;

(a) under 300 persons, \$70.00;

(b) 300 to 599 persons, \$140.00;

(c) 600 to 999 persons, \$200.00;

(d) 1,000 or more persons, \$270.00.

(8) Bingo Lottery at a bazaar, \$10.00.

(9) Public Hall, other than a Bingo Parlour, having a seating capacity of,

(a) under 300 persons, \$70.00;

(b) 300 to 599 persons, \$140.00;

(c) 600 to 999 persons, \$200.00;

(d) 1,000 or more persons, \$270.00;

(10) Roller Skating Rinks or like places of amusement, \$270.00.

(11) Merry-Go-Round, Switchback Railway, Carousel or other like contrivances including Roller Coaster, for each day, \$50.00.

(12) Rebound Tumbling Establishment;

(a) for 20 beds or less, \$19.00;

(b) for more than 20 beds, \$37.00.

(13) Shooting Gallery, \$19.00.(S.15, s.6)

16. Schedule 16 (Refreshment Vehicles) : The licence fee for a licence under Schedule 16 is \$110.00. (S.16, s.10)

17. Schedule 17 (Salvage and Second-Hand Goods Businesses) : The licence fees for licences under Schedule 17 are as follows:

(1) Dealers in Second-Hand Goods,

(a) travelling on foot or with hand cart per person or per cart, \$20.00;

(b) travelling with animal-drawn wagon, motor truck, panel truck or station wagon per vehicle, \$20.00.

(2) Salvage Dealers,

(a) for each cart, \$20.00;

(b) for each truck, \$20.00.

(3) Salvage Shop or Salvage Yard, \$20.00.

(4) Second-Hand Goods Shop, \$20.00.(S.17, s.8)

19. Schedule 19 (Sign Posters and Bill Distributors, etc.) : The licence fees for licences under Schedule 19 are as follows:

(1) Bill Distributor, \$50.00.

(2) Bill Poster, Advertising Sign Painter, Bulletin Board Painter, Sign Poster, \$670.00.(S.19, s.3)

20. Schedule 20 (Tobacco, Cigars and Cigarette Retailers) : The licence fee for a licence under Schedule 20 is \$25.00. (S.20, s.6)

21. Schedule 21 (Tourist Camps, Trailer Camps and Motels) : The licence fees for licences under Schedule 21 are as follows:

(1) Tourist Camp, \$100.00.

(2) Trailer Camp, \$100.00.

(3) Motel, \$10.00. (S.21, s.11)

22. Schedule 22 (Transient Vendors) : The licence fees for licences under Schedule 22 are as follows:

(1) Transient Vendor to which subsection (2) does not apply, for a three-month period or part thereof, \$500.00

(2) Transient Vendor who is a farmer resident in Ontario offering for sale only the produce of his or her own farm, \$5.00.(S.22, ss.8(1))

23. Schedule 23 (Pet Shops) : The licence fee for a licence under Schedule 23 is \$50.00. (S.23, s.6)

24. Schedule 24 (Bake Shops) : The licence fee for a licence under Schedule 24 is \$10.00. (S.24, s.3)

25. Schedule 25 (Dry Cleaning Establishments, etc.) : The licence fees for licences under Schedule 25 are as follows:

(1) For use of land for the purpose of the business of dry cleaning, dry dyeing or cleaning and pressing including spotting and stain removing, \$50.00.

(2) For use of land for the purpose of the business of spotting or stain removing, or for the purpose of receiving articles or goods to be subjected to any such process hereinbefore in this paragraph mentioned, for the purpose of distribution of articles or goods that have been subjected to any such process, or for all or any of such purposes in this clause mentioned, \$50.00.(S.25, s.2)

26. Schedule 26 (Storage of Petroleum and Other Dangerous or Inflammable Substances): The licence fees for licences under Schedule 26 are as follows:

(1) Except as provided in paragraph 3, for storage of petroleum, naphtha, or other dangerous or combustible, inflammable or explosive substance in quantities of more than eleven kilograms, \$200.00.

(2) (Repealed)

(3) The licence fee shall not exceed \$25.00 a month, for every month or part thereof in which such business is carried on. (S.26, s.2)

27. Schedule 27 (Laundries and Laundreterias, etc.) : The licence fees for licences under Schedule 27 are as follows:

(1) For carrying on the business of a laundry, \$50.00.

(2) For carrying on the business of a laundreteria or making available to the public the use of any of the following services or machines, namely, washing machines, dryers and dry cleaning machines for use by the public, including coin-operated washing machines, dryers and dry cleaning machines, \$50.00. (S.27, s.3)

28. Schedule 28 (Lodging Houses) : The licence fee for a licence under Schedule 28 is \$150.00, except a second level lodging house licence, the fee for which is provided under by-law 80-259 as amended. (S.28, s.5)

29. Schedule 29 (Massagists) : The licence fee for a licence under Schedule 29 is \$50.00. (S.29, s.3)

30. Schedule 30 (Pawnbrokers) : The licence fee for a licence under Schedule 30 is \$210.00. (S.30, s.3)

31. Schedule 31 (Public Baths) : The licence fee for a licence under Schedule 31 is \$270.00. (S.31, s.2)

32. Schedule 32 (Public Garages) : The licence fees for licences under Schedule 32 are as follows:

(1) For a public garage, other than an automobile service station as described in subsection (5), that is a building or place where motor vehicles are stored or kept for sale (Garage A), \$80.00.

(2) For a public garage, other than an automobile service station as described in subsection (5), that is a building or place used as a motor vehicle repair shop, including body and fender repairs (Garage B1), \$50.00.

(3) For a public garage, other than an automobile service station as described in subsection (5), that is a building or place used as a motor vehicle repair shop, except body and fender repairs (Garage B2), \$50.00.

(4) For a public garage, other than an automobile service station as described in subsection (5), that is a building or place used as a motor vehicle repair shop for body and fender repairs (Garage B3), \$50.00.

(5) For a public garage that is only an automobile service station within the meaning of the provisions of paragraph 154 of section 154 of the Municipal Act, R.S.O. 1990, Chapter M.45, except a retail store not otherwise an automobile station where gasoline or oils are sold in sealed containers only (Garage C), \$10.00.

(6) For a public garage, other than an automobile service station as described in subsection (5), that is a parking station or a parking lot (Garage D), \$50.00.

Provided that an automobile service station with no more than five parking spaces for hire shall not be deemed to be a parking station or parking lot within the meaning of this section.

(7) For a public garage that is a building or place used for only washing or cleaning motor vehicles or in addition to being an automobile service station as described in subsection (5) (Garage E), \$50.00.

Provided that a licensed public garage not having special equipment capable of washing or cleaning more than 15 motor vehicles a day shall not be deemed to be a building or place used for washing or cleaning motor vehicles within the meaning of this section.
(S.32, s.10)

40. Schedule 40 (Special Sales) : The licence fees for licences under Schedule 40 are as follows:

(1) For a licence issued upon application expiring in accordance with subsection 8(1) of Schedule 40, per \$1,000 of inventory during the first 30 days, \$3.00.

(2) For a licence extended in accordance with clause 8(1)(a) of Schedule 40, per \$1,000 of inventory during the further 30 days, \$3.00.

(3) For a licence extended in accordance with clause 8(1)(b) of Schedule 40, per \$1,000 of inventory during the further 30 days, \$3.00.

(4) For a licence extended in accordance with clause 8(1)(c) of Schedule 40, per \$1,000 of inventory during the further 30 days, \$3.00.(S.40, s.14)

41. Schedule 41 (Precious Metals and Old Jewellery Dealers) : The licence fee for a licence under Schedule 41 is \$25.00.(S.41, s.4)

42. Schedule 42 (Building Exterior Cleaners) : The licence fee for a licence under Schedule 42 is \$130.00. (S.42, s.5)

43. Schedule 43 (Flea Markets) : The licence fees for licences under Schedule 43 are as follows:

(1) For a Flea Market Owner, \$420.00.

(2) For a stallholder, \$70.00. (S.43, s.10)

CITY OF HAMILTON
- RECOMMENDATION -

5.

MAR 18 1993

DATE: 1993 March 16

REPORT TO: Mrs. Susan Reeder, Secretary
Finance and Administration Committee

FROM: R. Sugden, Director
Culture & Recreation

**SUBJECT: CAPITAL PROJECT SUBSIDIES FOR DUNDURN
CASTLE AND WHITEHERN**

RECOMMENDATION:

- a) That the gross cost authorized by City Council in March of 1991, be increased to the revised capital appropriation based upon 1992/93 additional subsidies received from provincial and federal grants according to the following:

<u>Capital Project</u>	<u>Gross Cost Authorized by Council (1991)</u>	<u>Rec'd & Approved Subsidies 1992/93</u>	<u>Revised Authorization Requested</u>
Dundurn Castle Restoration CF 719141002	\$600,000.	\$708,500.	\$1,308,500.
Cockpit Restoration(Dundurn) CF 719141008	\$260,000.	\$147,500.	\$ 407,500.
Whitehern Restoration CF 71914007	\$500,000.	\$176,508.	\$ 676,508.

These subsidies, applied for an increase to the scope of needed restoration work, were received based on the formula which accepted the 1991 commitment of City Council.

- b) That the City Treasurer be authorized to review the gross cost of the projects and adjust financing accordingly.



Bob Sugden, Director
Culture & Recreation

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

City approved Capital financing will be required.

BACKGROUND:

Due to the deteriorating conditions of Dundurn Castle, Whitehern and their ancillary buildings, Conservation Building Studies were carried out and completed by Quadrangle Architects in early 1990. These studies described and prioritized existing and potential structural problems of the buildings, strategies to overcome these deficiencies and the associated costs. On 26 June 1990, City Council agreed that immediate financial priority be given to urgently required work in the two historic sites. Consequently, these urgent priorities were submitted and approved in the 1991-1995 Capital Budget for a total amount of \$1,360,000 for 1991 implementation.

Once City funding was secured, staff forwarded applications with City Council approval, (1991 March 26) to seek additional funding from the other levels of government for the subsequent work, which was outside of the current funding level.

Additional funding was requested to:

- respond to the Conservation Building Studies list of "next urgent" priorities which through time had become priority.
- reclaim as much damaged building fabric to preserve these valuable heritage resources for future generations.
- save City money by attempting to complete all conservation issues.
- minimize disruption to the sites due to construction.
- to save the Cockpit building now facing serious deterioration and structural problems.

The grant amounts were calculated on the City's financial commitment along with potential other sources of funding. The scope of work identified in the grant application did not duplicate that of the original scope of work in the City's funding. Therefore, if City funding is decreased, grant subsidies will be reduced proportionately.

An explanation for the original and increased scope of work is as follows:

Dundurn Castle

CF 719141002

Original Scope of Work

Castle/Stables - \$600,000 City Capital Budget

Includes the urgent action to be undertaken as soon as possible to avoid further damages to the original building fabric:

• repointing and repair of tunnel and foundations	\$121,800.
• window and storm repair	24,000.
• columns	6,500.
• re-grading	60,000.
• stucco repair	65,800.
• stable repairs	54,600.
• archaeology	80,000.
• architect/contractor	127,300.
• contingency	60,000.
TOTAL	\$600,000.

It is primarily a programme of repairs to foundations, stucco woodwork and windows. Further investigation by contract Consulting Architects, Taylor/Hazell Architects Inc. and the archaeologist has changed the order of priority somewhat:

- foundations are generally sound and are not the main cause of moisture
- windows and exterior woodwork are in much worse condition than first thought, and are contributing to moisture problems
- spot repair of stucco is not feasible due to general failure of top layer and large amount of portland cement used in earlier repairs
- stables are in relatively good repair and require only minor work

As a result of these changes, the updated cost of the project is \$1,956,750. Funding secured to date amounts to \$1,768,800 so additional funding may be required in the future (approximately \$187,950).

Provision has been identified for Dundurn Castle Restoration (landscape) at the amount of \$1,600,000 in the 1993-2002 capital budget for 1996 implementation. An amount of \$20,000 has been approved in the 1993 capital budget to carry out the conservation study for this project. The Federal government has agreed to cost share on this project.

Cockpit \$260,000

Funding will include basic stabilization as follows:

- repairs to windows and trim \$114,500.

• rebuild front and rear porticoes	90,000.
• contingency	26,000.
• fees, contractor, etc.	<u>29,500.</u>
TOTAL	\$260,000.

Increased Scope of Work - Grant Subsidies

Rationale:

Grant applications were submitted to address the remaining much needed work not funded in the capital budget. It includes: \$558,817 to address repairs to building extension including stucco, woodwork, window restoration, foundation repairs and replacement of lost architectural features. \$120,000 for additional archaeology to subsidize salary for the archaeologist and crew to carry through the required work and at the same time exposure to the project to the public. Cockpit building subsidies will amalgamate the stabilization and restoration of the exterior with preservation of the building interior and archaeology.

Grant Summary

Funding has been approved for the following:

<u>Government Source</u> (formerly)	<u>Programme</u>	<u>Amount</u>
Ministry of Culture & Communications (Provincial)	Jobs Ontario Capital Grants	\$670,000.
Dept. of Communications (Federal)	Cultural Initiatives	\$144,500.
Dept. of Communications (Federal)	Access to Archaeology (Research Component)	\$ 17,500.
Ministry of Culture & Communications	Designated Property Grant	\$ 3,000.
Employment & Immigration Canada	Job Creation Program-Sec.25	\$ 1,000.
Public Donation		<u>\$ 20,000.</u>
		\$836,000.

Note: \$71,000 has been received indirectly to the archaeology program through U.I.C. subsidization.

Whitehern Historical House

CF 719141007

Original Scope of Work

Whitehern/Stables \$500,000 - City Capital Budget

Includes the urgent action to be undertaken as soon as possible to avoid further damages to the original building fabric:

Front Porch Repairs	\$	57,000.
Restoration Architect fees		23,400.
Tests/surveys/disbursements		13,400.
Archaeology		12,000.
Roofs		64,000.
Foundations		77,400.
Underpinning Stable		18,400.
Masonry		85,400.
Cleaning Building		18,700.
windows		11,700.
Flagstone regrading		9,000.
Interior structure/details (China storage & Stable)		16,400.
Windows walk		6,000.
Wood Trim		3,000.
Associated Costs (irrigation adjustment etc)		2,000.
20% Contingency, overhead, taxes & other		<u>81,800.</u>
TOTAL	\$	500,000.

Increased Scope of Work

Rationale:

The total budget for the full scope of work to be completed as per recommendations in the Building Study amounted to \$679,508 (1993). Therefore, grant applications were submitted to address the remaining much needed work not funded in the City capital budget.

Rationale:

This increased scope of work will cover additional exterior envelope work of the historic house, stables and garden walls including roofs, masonry, foundations, water systems, windows and replacement of lost architectural features.

Archaeology will include an archaeological assessment of the property, survey test pits and salvage component.

Funding has been approved for the following;

<u>Government Source</u> (formerly)	<u>Programme</u>	<u>Amount</u>
Ministry of Culture & Communications (Provincial)	Cultural Facilities Improvement Program - Heritage Structure Preservation Category	\$156,008.
Ministry of Culture & Communications (Provincial)	Designated Property Grant	\$ 3,000.
Dept. of communications (Federal)	Access to Archaeology	<u>\$ 17,500.</u> \$176,508.

Conclusion

It is important that city contribution not be reduced due to government subsidies. Government funds have been based on a formula on the City financial contribution. Any reduction in the scope of work will reduce Federal and Provincial contributions. As a result higher civic long term capital costs would be required and the momentum of the concurrent projects would be lost.

MH:cf

c.c. D. Vyce
Director of Property
A. Ross
Treasurer

6(a.)

CITY OF HAMILTON
- RECOMMENDATION -

MAR 17 1993

DATE: 1993 March 8

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Vehicle Replacement - 1993

RECOMMENDATION:

That the following fully depreciated Fire Department vehicles be replaced in 1993 and that the estimated replacement cost of \$130,000 be charged to the Reserve for Replacement of Mobile Equipment, Centre No. 00101:

<u>Vehicle</u>	<u>Description</u>	<u>Estimated Replacement Cost</u>
1692	Mid-size Car - Fire Prevention Bureau	\$ 18,000
1693	Mid-size Car - Fire Prevention Bureau	18,000
1695	Mid-size Car - Fire Prevention Bureau	18,000
1684	One-ton Pick Up Truck (Supply Truck)	26,000
1683	Full-size Emergency Car	25,000
1694	Full-size Emergency Car	<u>25,000</u>
TOTAL		<u>\$130,000</u>

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

There are sufficient funds in the Fire Vehicles portion of the Reserve for Replacement of Mobile Equipment to finance these replacements.

.....cont'd

1993 March 8

Susan K. Reeder, Secretary
Finance and Administration Committee - Page 2

BACKGROUND:

The Finance and Administration Committee acts as the monitoring committee for depreciation and replacement of mobile equipment.

We have had a request from the Fire Chief to recommend replacement of several Fire Department vehicles in 1993. These vehicles are all fully depreciated and are due for replacement.

IRH/an

- c.c. G. Baker, Fire Chief, Hamilton Fire Department
T. Bradley, Manager of Purchasing
C. Guthro, Manager of Fleet Services
M.B. ChandraShekar, Supervisor of Accounting

6 (b.)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 17

MAR 18 1993

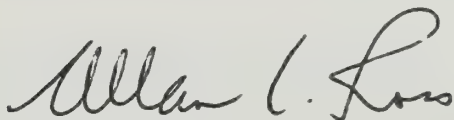
REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: City of Hamilton banking arrangements

RECOMMENDATION:

- a) That the Treasurer be authorized to extend the City of Hamilton's current banking arrangements with the Canadian Imperial Bank of Commerce from the current expiry date of June 30, 1993 to a new expiry date of October 15, 1993.
- b) That the "Proposal Call for Banking Services" be prepared on the basis of a five year period commencing October 18, 1993.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

On August 13, 1992, a report was submitted to the Finance and Administration Committee recommending that the present arrangements for banking services for the City of Hamilton with the Canadian Imperial Bank of Commerce be extended to June 30, 1993 and that the Treasurer prepare the necessary specifications for a proposal call for banking services to commerce on July 1, 1993.

BACKGROUND: - Continued

While a tentative schedule was developed at that time, it has been difficult to meet due to the amount of research involved in preparing this documentation and due to other priorities which have arisen in the department. It has also come to our attention that in the event the City changed Banks, a considerable amount of lead time is involved for the ordering of new cheques, setting up new accounts, signing authorities, etc. In order to avoid any overlap in the processing of payments during the tax instalments of June and September and to provide sufficient contingency, I am recommending that present banking arrangements be extended to mid October 1993. A mid-month termination date also better coincides with data transmission and fund withdrawal for our new Monthly Automatic Payment Plan which was implemented at the start of 1993.

In our discussions in this area, it has come to our attention that it is common practice to request proposals for banking services for a period of five years rather than a shorter period such as three years with an option to renew on an annual basis. This fixed term allows the banks to spread their up front and conversion costs over a longer fixed period and provides a better annual rate to the municipality.

TWD:jc

7.

CITY OF HAMILTON
- RECOMMENDATION -

DATE: March 22, 1993

REPORT TO: Susan Reeder, Secretary
Finance and Administration Committee

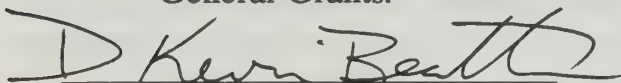
FROM: D. Kevin Beattie
Grants Co-Ordinator

SUBJECT: GRANTS GRANDFATHER TASK FORCE

RECOMMENDATION:

The Grants Grandfather Task Force has met and respectfully recommends:

- a) that to ensure all Grant applicants do not become dependent on City of Hamilton funding and allow new groups to receive funding, the Grant Policy be amended to reflect the following Sunset grant classification as outlined on Exhibit 1;
- b) that this classification be assigned to the successful 1993 Grant recipients by the Committee of the Whole during their deliberations on March 26, 1993 of the 1993 General Grants;
- c) that all general grant applicants be made aware of and encouraged to use alternative sources of funding, either through the use of Lottery Schemes (eg. Nevada Break-open tickets, Bingo), or requesting funds from local Service Clubs, Foundations, private donations and other levels of Government, in addition to the applicants normal revenue raising activities;
- d) that these recommendations be forwarded to the Committee of the Whole meeting March 26, 1993 for their consideration as part of the deliberations for the 1993 General Grants.



D.K. Beattie, Grants Co-ordinator

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The above recommendations would not have any overall affect on the 1993 Grants budget in total, however through the use of the proposed classifications, more applicants might be able to receive grant funds in future years.

Susan Reeder, Secretary
Finance and Administration Committee
March 22, 1993 - Page 2

BACKGROUND:

At the January 23, 1992 meeting of the Finance and Administration Committee meeting during a review of the General Grants, the committee approved the recommendation of establishing a special Committee to review the possibility of implementing a "Grandfather clause" policy for grants to all organizations.

The Grants Grandfather Task Force (Alderman B. Charters, Alderman F. Eisenberger, and Alderman T. Anderson) has met several times to address the issue of Grandfathering grant organizations. The task force reviewed the alternative sources of funding available to the organizations including the various Lottery Schemes (which are licensed by the City of Hamilton), and the use of Foundations (eg. Hamilton Foundation) and Service Clubs (eg. Sertoma, Lions, Legions, Rotary). It was noted that recent changes with respect to the Nevada Break-open Tickets and point-of-sale location and other administrative features will allow a greater opportunity for more qualified organizations to participate in this scheme. Also noted that Bingo requires a greater degree of administrative and organizational functions to operate. In terms of other alternate funding sources such as requesting funds from Foundations and/or Service Clubs, funds, on a limited basis, are available. Specific requirements and procedures apply to each source of funds, however in general non-profit and charitable organizations could use these alternative funding sources. The Task Force concluded that all grant applicants should be encouraged to use these alternative funding sources (Lottery, Foundations and Service Clubs) and at least be made aware of them. These sources could improve the financial viability of the organizations.

In developing the Sunset classification as outlined on Exhibit 1, the Task Force recognized the benefits that the organizations receive via the City Grant funds and more importantly the benefits that the organizations provide to the City of Hamilton. The stated objective is to facilitate the demands for Grant Funds and allow as much as possible the opportunity for new organizations to receive Grant funds. This objective can be met using the basic principle that all organizations are to be phased out over a maximum five year period. This classification is to be used as an indication of possible future funding. The Grant Policy states that "the Granting of assistance in any one year is not to be interpreted as a commitment to future years' funding. The classification should be assigned to all successful grant recipients of the 1993 General Grants when these are determined by the Committee of the Whole meeting this Friday, March 26, 1993.

DKB/dkb

Att'd

C.C. Alderman B. Charters
Alderman F. Eisenberger
Alderman T. Anderson
Grants Process Group

GRANTS GRANDFATHER TASK FORCE

GENERAL GRANT CLASSIFICATIONS

OBJECTIVE

TO ENSURE THAT THE LIMITED CITY OF HAMILTON GRANT FUNDS AVAILABLE TO QUALIFIED GRANT ORGANIZATIONS BE ALLOCATED IN SUCH A MANNER TO ENSURE THAT NEW QUALIFIED ORGANIZATIONS HAVE AN OPPORTUNITY TO RECEIVE FUNDING AND ALL ORGANIZATIONS ARE ENCOURAGED TO DEVELOP AND EXPLORE ALTERNATIVE SOURCES OF FUNDING.

PRINCIPLE

ALL GRANT ORGANIZATIONS ARE CONSIDERED TO BE PHASED-OUT OR SUNSET OVER A MAXIMUM OF FIVE YEARS OF FUNDING.

8.

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 17

REPORT TO: Susan K. Reeder
Secretary, Finance and Administration Committee

FROM: John Thompson
Acting City Clerk

SUBJECT: Street Vendors Program

RECOMMENDATION:

That an Ad Hoc Sub-Committee comprised of three (3) members of the Finance and Administration Committee be struck to review the following proposals for the Street Vendors Program:

- (i) Review the existing Street Vendors By-Law;
- (ii) Establish an Advisory Board to oversee the Street Vendors Program;
- (iii) Increase the number of street vendor locations in the downtown core area;
- (iv) Expand the boundaries of the Street Vendors Program in the downtown core area and
- (v) Consider the introduction of the Street Vendors Program into other sections of the City, such as the Westdale Village and Ottawa Street Areas.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND: 1985-1993

In 1985, the City, on the recommendations of the Downtown B.I.A., established a Street Vendors Program. The concept proposed by the Downtown B.I.A. was to promote the downtown core as a "people" place, add colour and provide ambience to the area. City Council approved the designation of approximately 20 locations along King Street between Mary and Bay Streets and a section of James Street North and Bay Street North for this program.

The By-law provides for permits for stands to be issued on a priority basis, firstly to the closest similar type of existing permanent business in the downtown core, secondly to a similar business not necessarily in the downtown core, thirdly to Hamilton residents and lastly to non-residents. Only food and flower sales are currently permitted.

From the summer of 1985 to the end of 1989, the program saw no more than six stands in operation at any time. In 1990, no further applications were processed pending a review of the program.

As a result of this action, only 5 locations have remained in operation and from each of these locations, only food products are sold. The annual fee for each street vendor location is \$300.00, which was set in 1985 and remains in effect in 1993. A Refreshment Vehicle licence is also required for the sale of food.

Interviews & Submissions

As directed by the Finance and Administrative Committee, the Licence Division met and had discussions with the various individuals and organizations which have concerns regarding the City of Hamilton's Street Vendors Program, namely the Business Improvement Associations (B.I.As), existing Street Vendors and the Community Renewal Division of Public Works. Written submissions were received from the various B.I.A.s, the existing licensed Street Vendors, H.E.C.F.I. officials and from various citizens who are interested in being licensed as Street Vendors.

These individuals were asked to review the existing program and By-law and if they were in favour of maintaining or expanding the existing Street Vendors Program in the downtown core. The Licence Division also requested comments on the future planning and development of the program.

Business Improvement Associations

The Downtown Hamilton B.I.A. and the International Village B.I.A. have endorsed the Street Vendors Program in Hamilton's downtown core. The Westdale Village and the Ottawa Street B.I.A.s has expressed an interest in developing such a program in their areas. The following comments were made by the various B.I.A.s:

1. Downtown Hamilton B.I.A.

The Licence Division received a verbal confirmation from Greg Goutreau, Executive Director, who will be meeting with various members of the Downtown Hamilton B.I.A. It appears that it will support an expansion of the existing Street Vendors Program.

2. International Village B.I.A.

The Board of Management of the International Village B.I.A. has endorsed the continuation of the Street Vendors Program as well as the expansion of the existing boundaries. Several of their members are interested in being licensed for this program.

4. **Main Street Esplanade (Locke - Queen Street Merchants)**

The Licence Division was informed by Maria Farrugin, Chairperson, that the merchants of the Main Street Esplanade were not interested in the Street Vendors Program at this time.

5. **Westdale Village B.I.A.**

Bob Basadur, Chairman, stated that the Westdale Village was interested in having the Street Vendors Program in this area.

6. **Ottawa Street B.I.A.**

On behalf of the Ottawa Street B.I.A., Miss Teri Ewart, Executive Director, has requested an amendment to the existing By-law to allow its merchants, if conducive, to operate a cart or stand adjacent to their own business.

7. **Concession Street B.I.A.**

Betty Toplak of the Concession Street B.I.A. stated that the merchants were not interested in having the Street Vendors Program in this area.

Licensed Street Vendors

The following 3 individuals who hold the 5 issued permits are licensed under the Street Vendors Program. They endorse and support the expansion of this program for the City of Hamilton.

Mr. Troy D'Sousa is licensed to sell food products under the Street Vendors Program for 2 locations: S/E corner of Bay at York Street (Copps Coliseum) and the N/E corner of King Street East and Catharine Street. Over the years, he has been able to employ 15 students and give them training in managing a business and developing communication skills. This type of business has been beneficial to tourists who require assistance and to customers who are on a short lunch break.

Mr. Paul Reardon is licensed to sell food products for 1 location under the Street Vendors Program: north side of King Street East, east of James Street. He endorses an expansion of the program and recommends (1) that the number of locations be increased, (2) that the type of merchandise be expanded to include such items as clothing, pottery and handmade crafts, (3) that consideration be given to the licensing of street musicians and performers and (4) that a subcommittee be struck to examine all aspects for the expansion of the program.

Mr. Tom Anderson is licensed to sell food products for 2 locations in the downtown core: East side of Bay Street, south of York Street (Copps Coliseum), and the south side of York Street at the entrance to the Farmers Market. He supports the expansion of the program and has volunteered his services for any future meetings pertaining to this matter.

Concerns regarding the Street Vendors Program were expressed by the Hamilton Entertainment and Convention Facilities Inc. (H.E.C.F.I.).

In his submission, Mr. B. Calder, Director of Operations/Events Delivery, H.E.C.F.I., has expressed his concern regarding the two locations which have been approved for the Street Vendors Programs and which are situated immediately adjacent to Copps Coliseum. Of major concern are the times when events are being held at the Coliseum. He has observed that these vending stands create crowd congestion which could lead to an accident. He further states that these stands have been moved onto Coliseum property which is an unauthorized location and is in violation of the By-law. These stands are also in direct competition to the Coliseum's food and beverage sales. H.E.C.F.I. recommends that the By-law be amended to restrict these vending stands to a determined distance from Coliseum property on days or evenings when events are scheduled.

The following 7 individuals have submitted written requests to be considered for application to the Street Vendors Program:

- (1) Maria Kedzierski
231 East 25th Street
Hamilton, Ontario
- (2) Janusz Szczepaniak
231 East 25th Street
Hamilton, Ontario
- (3) Hanna Zarzycki
1068 Upper Sherman Avenue
Hamilton, Ontario
- (4) Krzysztof Zarzycki
1068 Upper Sherman Avenue
Hamilton, Ontario
- (5) Edward & Ewa Cawricz
115 Limeridge Road East #2
Hamilton, Ontario

(6) Alastair D. Adamson
4 Washington Street
Hamilton, Ontario

(7) Derek Jansen
34 Westdale Avenue
Orangeville, Ontario

In addition, the City receives many inquiries regarding the street vendors program.

Support Mechanism

The Community Renewal Division of Public Works will participate in this program and provide staff liaison, if required.

City of Hamilton Street Vendors By-Law 85-66:

This By-law regulates the location, the goods or services provided, the design, size, colour, construction and materials of the stand, advertisement, policy of insurance, and enforcement.

As requested by the B.I.A.s, I received an information package regarding Street Vendors located at the Faneuil Hall, Marketplace, Boston, Mass. These vendors are licensed by the Public Works Department, but monitored by the Marketplace Association. Also, enclosed in this package was a proposed Street Vendors Program for Philadelphia, P.A., U.S.A., which emphasized certain minimum standards which must be maintained in order to operate an efficient program. The City of Hamilton's By-law addresses these standards. This City does not have the problems of unregulated street vendors that are so prevalent in larger urban centres, such as the City of Toronto.

Documentation

The following documentation is available from the Secretary of the Finance and Administration Committee upon request:

1. City of Hamilton Street Vendors By-Law 85-66 (Map of 23 potential Street Vendor Locations)
2. Written Submissions of the International Village and the Ottawa Street B.I.A.
3. Written Submissions of the Licensed Street Vendors: Troy D'Sousa, Paul Reardon and Tom Anderson
4. Written Requests for Street Vendor Locations: M. Kedzierske, J. Szczepaniak, H. Zarzycki, K. Zarzycki, E. Cawricz, A.D. Adamson and D. Jansen
5. Information: Faneuil Hall Marketplace, Boston, Mass., U.S.A.
6. Proposed Street Vendor Program for Philadelphia, Penn., U.S.A.

9.

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 9

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Stella Glover, Secretary
Taxi Advisory Committee

SUBJECT: Taxi Stands on Rebecca Street

RECOMMENDATION:

That the Transport and Environment Committee be requested to consider the removal of three parking meters on the north side of Rebecca Street in front of the Bus Terminal and that the existing Taxi Stand be extended into this space.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

Stella Glover

BACKGROUND:

The Taxi Advisory Committee recently considered the number of Taxi Stands and the location thereof within the City of Hamilton and agreed that more Taxi Stands were required at the Bus Terminal on Rebecca Street.

At its meeting of 1993 February 16 the Committee was in receipt of information from the Traffic Department that it had no serious objection to removing an additional three parking meters at the Rebecca Street location but that it had concerns that this may be over-restrictive. It was noted that the Traffic Department had in fact received complaints with regard to the underutilization of the existing Taxi Stands at the Rebecca Street location.

Finance and Administration Committee
Re: Taxi Stands on Rebecca Street

... 2

The Committee further noted that the management of the Bus Terminal had no objection to the proposed extension of the Taxi Stand.

After consideration the Committee agreed to proceed with the request for the removal of the parking meters and extension of the Taxi Stand and are therefore requesting that the Finance and Administration Committee recommend to the Transport and Environment Committee the removal of three parking meters on the north side of Rebecca Street and the extension of the existing Taxi Stand at this location.

cc: Ald. D. Drury, Chairperson, Taxi Advisory Committee
Mr. M. Hazell, Manager of Community Traffic Services
Mr. S. Dembe, Licence Division Manager
File

CITY OF HAMILTON
- RECOMMENDATION -

10.(a.)

DATE: 1993 March 16

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Stella Glover, Secretary
Hamilton Farmers' Market Sub-Committee

SUBJECT: Temporary Stallholder Signage

RECOMMENDATION:

- (a) That Market By-law 92-310 be amended to allow for Temporary Stallholder Signage, a sample of which is attached hereto as Appendix "A", to be displayed on stalls at the Hamilton Farmers' Market when occupied by daily vendors.
- (b) That the City Solicitor be directed to prepare the necessary By-law amendment to adopt this temporary signage.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

Stella Glover

BACKGROUND:

At its meeting of 1993 March 3 the Hamilton Farmers' Market Sub-Committee were advised by the Market Manager of concerns which had been expressed by market stallholders with regard to daily vendors and quality of product and merchandise.

The Market Manager introduced a sample sign which she proposed be displayed on market stalls when being used by daily vendors. Mrs. Miller said she felt these temporary signs would eliminate all potential conflict involving other stallholders and members of the general public with regard to quality of product and merchandising.

After consideration, the Hamilton Farmer's Market Sub-Committee agreed to the use of temporary signage and made the foregoing recommendation.

c.c. Alderman D. Agostino, Chairperson
Hamilton Farmers' Market Sub-Committee

Mrs. S. Miller
Hamilton Farmers' Market Manager

~~Mrs.~~ P. Noé Johnson
City Solicitor

HAMILTON FARMERS' MARKET
**DAILY VENDOR
STAND NO.** _____

Business Name

DATE _____ Market Office

CITY OF HAMILTON
- RECOMMENDATION -

10.
(b)

DATE: 1993 March 17

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Stella Glover, Secretary
Hamilton Farmers' Market Sub-Committee

SUBJECT: Directional Signage - Hamilton Farmers' Market

RECOMMENDATION:

That Regional Council via its Transportation Services Committee be requested to consider allowing the placement of directional signage for the Hamilton Farmers' Market on York Boulevard and on Main Street West at the Highway 403 exits, as a further means of promoting the Hamilton Farmers' Market.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

Stella Glover

BACKGROUND:

Recently, the Hamilton Farmers' Market Sub-Committee requested information from the Traffic Department regarding the possibility and requirements for the placement of directional signage for the Hamilton Farmers' Market.

At its meeting of 1993 March 3, the Sub-Committee were in receipt of the attached response from the Director of Traffic Services indicating that the main arteries to the Hamilton Farmers' Market are in fact regional roads. It was pointed out that although no formal policy for directional signage exists in Hamilton-Wentworth, an unofficial policy had evolved and on the basis of that policy it was felt inappropriate to erect the signs requested by the Hamilton Farmers' Market Sub-Committee.

After consideration, the Committee agreed to further pursue this matter and is therefore requesting that their request be forwarded to the Regional Transportation Services Committee for consideration and determination.

c.c. Alderman D. Agostino, Chairperson
Hamilton Farmers' Market Sub-Committee

Mrs. S. Miller, Hamilton Farmers' Market Manager

Mr. S. G. Hollowell, Manager of Administrative Services
City Clerk's Department



THE CORPORATION OF THE CITY OF HAMILTON

City Hall, 71 Main Street West, Hamilton, Ontario L8N 3T4

TRAFFIC DEPARTMENT

Fax No. (416) 546-2419

Tel No. (416) 546-4510

TDD: No. (416) 546-2448

1993 February 19

Mr. S.G. Hollowell
Manager of Administrative Services
City Clerks Department

Re: Directional Signs - Hamilton Farmers' Market

Recently you forwarded to this Department a memorandum requesting information about the installation of directional signs for the Hamilton Farmers' Market. Specifically, the intent was to install signs on York Boulevard and Main Street West at the Highway 403 exits.

The major arteries leading to the Hamilton Farmers' Market are Regional roads. As such, the Traffic Department acts on behalf of the Regional Roads Department in matters of roadway signing. The Farmer's Market request poses a question of policy and we have therefore discussed your request with Mr. Ted Gill, Senior Director of Roads. This department and the Regional Roads Department agree on the response.

There is no formal policy for directional signing in Hamilton-Wentworth. However, in responding to requests similar to this, an unofficial policy has evolved. On the basis of this policy, it would not be appropriate to erect the signs requested by the Farmers' Market Subcommittee. The reasons are as follows:

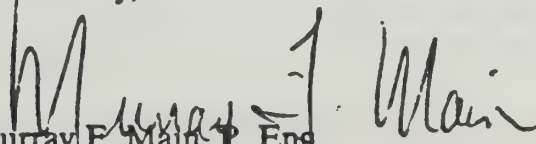
- The general concept for information signing on Regional roadways is to provide guidance to out-of-town motorists. Signing generally forms a continuous system with signs located on Provincial highways. Without signs on the major highways, a motorist would not be directed as to which exit to take. The Ministry guidelines for special directional signs are fairly specific in requiring that any attraction signed be of unique historical, cultural or educational significance. The signing must lead to a tourist attraction defined as "an establishment with the primary function of satisfying tourist needs by providing recreational, educational, cultural, scientific, environmental or entertainment related activities and where the sale of merchandise or services is absent or restricted to the sale of souvenirs and/or food and beverage commodities located on the premises". The Farmers' Market would not be eligible under the Ministry guidelines.

- While there are existing signs directing traffic to specific facilities in the downtown core, these signs are quite old. A more appropriate strategy would be to direct traffic to the general area of the downtown core and more specifically to parking rather than individual attractions. Once parked, the downtown core is compact enough that a visitor can travel on foot.
- There are already many signs, some of them of higher importance (such as traffic regulations or highway route markers) near the 403 exits. The intersection of Main and Dundurn is particularly cluttered. It is not likely that signs for the Farmers' Market would be noticeable or have high impact.
- While the Farmers' Market is a City of Hamilton facility, the individual stall holders are private merchants. There is a concern that roadway guidance signing to the Farmers' Market specifically might be considered the City providing a financial advantage to private enterprise.
- Even if signs were in place, a visitor would still have to call to find the hours of operation and other details before arriving. Since the directions to the Farmers' Market are simple, it would be preferable to provide clear directional information at that time and also on advertising materials. On behalf of the Regional Roads Department, the Traffic Department is presently exploring alternatives to improve the visibility of street name signs in the downtown core. Larger street name signs could be erected at the intersections of Main Street at Bay and Bay Street at York Boulevard to assist out-of-town motorists.

There does appear to be an opportunity for the Farmers' Market to provide leadership in this instance. It would be appropriate that signing be provided to lead out-of-town motorists to the general area of the downtown, particularly places of convenient parking. One standard sign could be used to replace the range of existing signs. The City Traffic Department and the Regional Roads Department could help in developing a new "Downtown" signing system as a replacement.

To conclude, the requested signs would likely have little effect and would contradict the present strategy employed with regard to directional signs for motorists. We trust the above information provides a clear explanation. Should you have questions please call me at ext. 4580 or Mr. Hart Solomon at ext. 4584.

Yours truly,


Murray F. Main, P. Eng.
Director of Traffic Services

HLS/ca

cc: Hart Solomon, Manager of Traffic Operations
Ted Gill, Senior Director, Roads

11.

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 19

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Charlene J. Coutts, Acting Secretary
Hamilton Historical Board

SUBJECT: Location of Canadian Club Plaque

RECOMMENDATION:

- a) That the request of the Canadian Club of Hamilton's Centennial Conference Committee to erect a commemorative plaque on City Hall grounds be denied; and,
- b) That the Canadian Club of Hamilton's Centennial Conference Committee be advised of the Hamilton Historical Board's recommendation to erect this plaque on the Pigott Building, the location of the original plaque installed in 1913.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The Finance and Administration Committee at its meeting held 1992 October 22 was in receipt of a request dated 1992 September 24 from Mr. William Filer, Chairman of the Canadian Club of Hamilton's Centennial Conference Committee requesting approval to erect a commemorative plaque on City Hall grounds.

The Finance and Administration Committee referred this matter to the Hamilton Historical Board for reference to its Plaquing Sub-Committee for comment.

The Hamilton Historical Board at its meeting held 1993 March 16 felt, that for historical accuracy, the plaque should be placed in its original location on the Pigott Building.

c.c. Dan Vyce, Director of Property
Doug Lobo, Director of Public Works
Bob Sugden, Director of Culture and Recreation Department
Marilynn Havelka, Culture and Recreation Department
Nina Chapple, Planning Department
Dennis Missett, Chairperson, Joint Plaquing Sub-Committee
Charlene J. Coutts, Secretary, Local Architectural Conservation Advisory Committee



Together with Vision
1993 Centennial Conference
Hamilton, Ontario
Association of Canadian Clubs
Association des Cercles Canadiens

OCT 1 1992

24 September 1992

Mayor Robert Morrow
THE CORPORATION OF THE
CITY OF HAMILTON
71 Main Street West
HAMILTON, Ontario

Dear Sir:

RE: THE CANADIAN CLUB OF HAMILTON

On December 6, 1892, the Canadian Club of Hamilton had its beginning in the Commercial Centre Building, 36 James Street South, Hamilton. Unfortunately no minutes were taken of the meeting in Charles McCullough's office, attended by W. Sanford Evans, James Ferres, Henry Carpenter and George Fearman. The result was a letter of invitation to the organizing meeting held on February 1, 1893. The movement has now grown to national proportions, with a membership of 16,000 throughout Canada. In honour of our Centennial, a Conference will be held in Hamilton from September 23-26, 1993.

As you may be aware, on December 6, 1913, the Womens Canadian Club of Hamilton installed a bronze plaque on the Pigott Building to commemorate the location of that historic first meeting. The plaque was removed by Kopic Wrecking during renovations of the building, and we have been unsuccessful in all efforts to locate it.

The Conference Committee would like to commission the production of a replacement plaque, and to present it to the City for display. It has been suggested that a concrete plinth be provided in the westerly forecourt of Hamilton City Hall, on which we would mount the replacement plaque. If it would be possible for the City to provide us with the location and the plinth, we would schedule installation to coincide with our Centennial Conference.

I would be pleased to further discuss this matter with you and can be contacted at (416) 628-8611. We would ask that you consider this as soon as possible in order to facilitate our ordering of the plaque.

Sincerely,

William A.H. Filer, Chairman
Centennial Conference Committee

sn

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Urban/Municipal Librarian
Public Library
2nd Floor

NOTICE OF MEETING

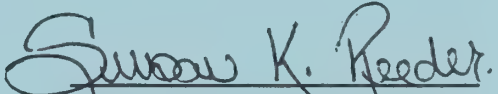
FINANCE AND ADMINISTRATION COMMITTEE

Thursday, 1993 April 8th
9:30 o'clock a.m.
Room 233, City Hall

URBAN MUNICIPAL

APR - 1993

GOVERNMENT DOCUMENTS


Susan K. Reeder, Secretary

AGENDA

1. DELEGATION

Mr. Gary R. Fair, Blue Moon Adult Video Store - requesting inclusion in By-law 93-045, governing Adult Video Stores.

2. PRESENTATION

Human Resources.(no copy)

3. ALDERMAN D. ROSS

Clarification amendments to the Finance and Administration Committee recommendation respecting the re-appointment of the Chief Administrative Officer and Director of Public Works and the Advertising for a City of Hamilton Chief Administrative Officer.

4. COMMISSIONER OF HUMAN RESOURCES

(a) Hiring Chief Administrative Officer.

(b) Student - Summer Hires.

5. ALDERMAN V. AGRO

(a) Correspondence - The Sheraton Hamilton Hotel - Hours of Operation - licensing of Restaurants and Bars.

(b) Aldermen charging Mileage while on City Business.

6. **CONSENT AGENDA**

7. **CHIEF ADMINISTRATIVE OFFICER**

The City's continuing role in Non-profit Housing.

8. **DIRECTOR OF PROPERTY**

Policy on the Acquisition and Display of Plaques, Posters, Memorabilia and Awards in City Hall.

9. **REFERRAL FROM THE COMMITTEE OF THE WHOLE**

Recommendations of the Grants Grandfather Task Force.

10. **TREASURER**

(a) 1993 Requests for Allocation of Subsidy Monies under the Public Transportation and Highway Improvement Act. (Recommendation Report)

(b) Proposed Disentanglement Agreement between the Province of Ontario and the Association of Municipalities of Ontario (AMO). (Information Report)

11. **RESOLUTION**

Regional Municipality of Peel - Disentanglement Agreement.

12. **CITY CLERK**

(a) To Amend By-law 79-144 respecting Class "H" Adult Entertainment Parlours.

(b) F.C.M. Conference - 1993 May 28-31 - Authorization to Attend.

13. **JOINT REPORT - DIRECTOR OF PROPERTY, MANAGER OF PURCHASING, TREASURER, DIRECTOR OF CULTURE AND RECREATION**

Huntington Park Recreation Centre - Contract Amendments.

14. **IN CAMERA AGENDA**

15. **OTHER BUSINESS**

16. **ADJOURNMENT**

OUTSTANDING ITEMS

FINANCE AND ADMINISTRATION COMMITTEE

ITEM	DATE REQUESTED	ACTION BY	REPORT DUE BY
1. (a) Policy to exempt Parking Authority from realty and business tax. (b) Examine feasibility of directing the net revenue from parking fines into the Reserve Account.	1990 February 23 & 1990 March 22 1990 March 22	Treasurer Treasurer	
2. Rationale of Development Charges on 84 Birmingham Street.	1992 April 9	Building	
3. Additional Proposed Development Charges Amendments.	1992 April 23	Building	
4. Commonwealth Plaza Lighting.	1992 June 25	Property	
5. Report on procedures to be used in regulating the sale of merchandise by charitable and non-profit groups.	1992 December 3	City Clerk	

OUTSTANDING ITEMS

FINANCE AND ADMINISTRATION COMMITTEE

PAGE 2

ITEM	DATE REQUESTED	ACTION BY	REPORT DUE BY
6. Report on overview of all types of licences issued and fees for Committees consideration of rationale.	1992 December 3	City Clerk	1993 June 24 meeting
7. For the 1993 February meeting, a discussion paper will be presented by the Licence Division on a revised Taxicab By-law.	1992 December 3	City Clerk	going first to Taxi Advisory Committee
8. City Hall Grounds Study - being reviewed by interest groups for input.	1993 January 21	Arts Co-Ordinator	
9. Report - Partnership Agreements at the Hamilton Farmers' Market.	1993 January 21	City Solicitor	
10. Review of request by Junior Achievement to utilize vacant space at the Kenilworth Avenue Police Station.	1993 February 18	Chief Administrative Officer	
11. Report - Ad Hoc Committee on Tobacco Control Policy forwarded from Regional Council.	1993 February 18	City Clerk, Solicitor	
12. Women's Safety Audit Project Report - Chief Administrative Officer to meet with the Status of Women Sub-Committee and staff and report back on the implementation procedures.	1993 March 25	Chief Administrative Officer	
13. Report back - Ad Hoc Street Vendors Task Force	1993 March 25	City Clerk	

1993 April 8th

BLUE MOON ADULT VIDEOS

1.

March 30, 1993

MAR 31 1993

City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Attention: Susan Reeder

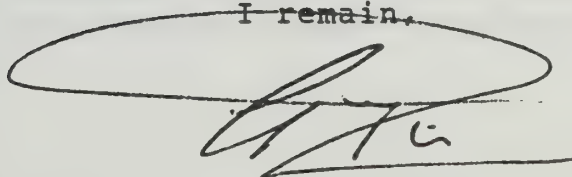
Ms. Reeder:

Please be advised that I wish to arrange a meeting with the Finance and Administration Committee at the earliest possible date.

This meeting is with regards to by-law no. 93-045 governing adult video stores and the exclusion of my firm from those listed within the by-law.

I thank you in advance for your time regarding this matter.

I remain,

A handwritten signature in dark ink, appearing to read 'G. Fair', is written over a large, loopy oval-shaped flourish.

Gary R. Fair



**CITY COUNCIL
HAMILTON, CANADA**

Alderman Don Ross

Chairman - Economic Development & Planning
Chairman - Finance & Administration

71 MAIN STREET WEST L8N 3T4 • (416) 546-2730 • RES: (416) 387-1842 - Ward 8

1993 March 31st

**TO: Members of the
Finance and Administration Committee**

**FROM: Alderman D. Ross, Chairperson
Finance and Administration Committee**

**SUBJECT: Recommendation - Re-appointment of the
Chief Administrative Officer and the
Director of Public Works and the
Advertising for a City of Hamilton
- Administrative Officer**

3.

[Handwritten signature]

As members of the Committee are aware, a recommendation respecting the above was approved at the Special Meeting of the Finance and Administration Committee which convened after City Council on Tuesday, 1993 March 30th.

A copy of the wording is herewith attached. Following that meeting and the approved motion, it has been drawn to my attention that some clarification and refining is required for this recommendation in that the reference to the appointment of the Chief Administrative Officer and Director of Public Works should be amended to reflect that these are re-appointments, and not initial appointments.

As well, it should be clarified that Sub-section (c) of the recommendation should read that the advertising specify that the position is for a City of Hamilton Chief Administrative Officer.

Therefore, with the Committee's approval, I would request that the above noted amendments be made to the attached resolution for presentation to the 1993 April 13th meeting of City Council.

/Attachment

c.c.- Susan K. Reeder, Secretary, Finance and Administration Committee

- (a) That Mr. J. Pavelka, Director of Public Works, be appointed Chief Administrative Officer for the period 1993 June 1 through 1993 December 31 within the salary range "A" and that the City Solicitor be authorized and directed to amend the necessary by-laws and that Mr. J. Pavelka be re-appointed as Director of Public Works, effective 1994 January 1.
- (b) That Mr. D. Lobo, Manager of Streets and Sanitation, be appointed as Director of Public Works for the period 1993 June 1 through 1993 December 31 within the salary range "B" and that effective 1994 January 1 be re-appointed as Manager of Streets and Sanitation.
- (c) That the process of advertising for a Chief Administrative Officer commence immediately; and,
- (d) That the Terms of Reference for One-Tier Administration be tabled within 30 days and a Consultant hired within 60 days.

4(a.)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 5

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. John Johnston
Commissioner of Human Resources

SUBJECT: Hiring Chief Administrative Officer (C-019-093)

RECOMMENDATION:

That further to the direction of the Finance and Administration Committee to commence the search for a Chief Administrative Officer, that a Selection Committee be appointed comprised of:

1. Mayor
2. Chairman of Finance and Administration
3. Vice Chairman of Finance and Administration
- 4/5. Two members of Finance and Administration to be appointed by ;the Finance and Administration Committee



John Johnston

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

BACKGROUND:

Policy attached.

**CITY
OF
HAMILTON**

**REGIONAL MUNICIPALITY
OF
HAMILTON - WENTWORTH**

HUMAN RESOURCES POLICY AND PROCEDURES MANUAL	PROCEDURE	
	EFFECTIVE DATE:	PROCEDURE NO.: A.01.00.08
	CHAPTER A : EMPLOYMENT STANDARDS	
	SECTION : EMPLOYMENT	
	SUPERSEDES NUMBER:	REVISION DATE:
APPROVALS	CITY CHIEF ADMINISTRATIVE OFFICER :	
	REGIONAL CHIEF ADMINISTRATIVE OFFICER:	

SUBJECT: SELECTION PROCEDURE - DEPARTMENT HEADS (continued)

CITY OF HAMILTON

SCREENING AND INTERVIEWING

RESPONSIBILITY

Pre-Screening Committee shall

- (a) consist of the Chief Administrative Officer, the Commissioner of Human Resources and one other department head familiar with the operation of the department whose head officer is to be selected.
- (b) review all applications for the position and compile a short-list of candidates.
- (c) interview the short list of candidates and recommend applicants to be interviewed by the Selection Committee.

Selection Committee shall

- (a) consist of the:
 - (i) - Mayor
 - Chairman and Vice-Chairman of the Finance and Administration Committee
 - Chairman and Vice-Chairman of the Standing Committee to which the Department Head will be reporting
 - (ii) Where the Standing Committee is the Finance and Administration Committee, the

CITY
OF
HAMILTON

REGIONAL MUNICIPALITY
OF
HAMILTON - WENTWORTH

HUMAN RESOURCES POLICY AND PROCEDURES MANUAL	PROCEDURE	
	EFFECTIVE DATE:	PROCEDURE NO.: A.01.00.08
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	SECTION : EMPLOYMENT	
	SUPERSEDES NUMBER:	REVISION DATE:
APPROVALS	CITY CHIEF ADMINISTRATIVE OFFICER :	
	REGIONAL CHIEF ADMINISTRATIVE OFFICER:	

SUBJECT: SELECTION PROCEDURE - DEPARTMENT HEADS (continued)

said Committee shall appoint two additional members of Council to the Selection Committee.

(iii) Where the Chairman and/or Vice-Chairman are unable to participate in the Selection Committee, an alternate member of the relevant committee shall be appointed.

(b) invite all members of City Council to attend interviews.

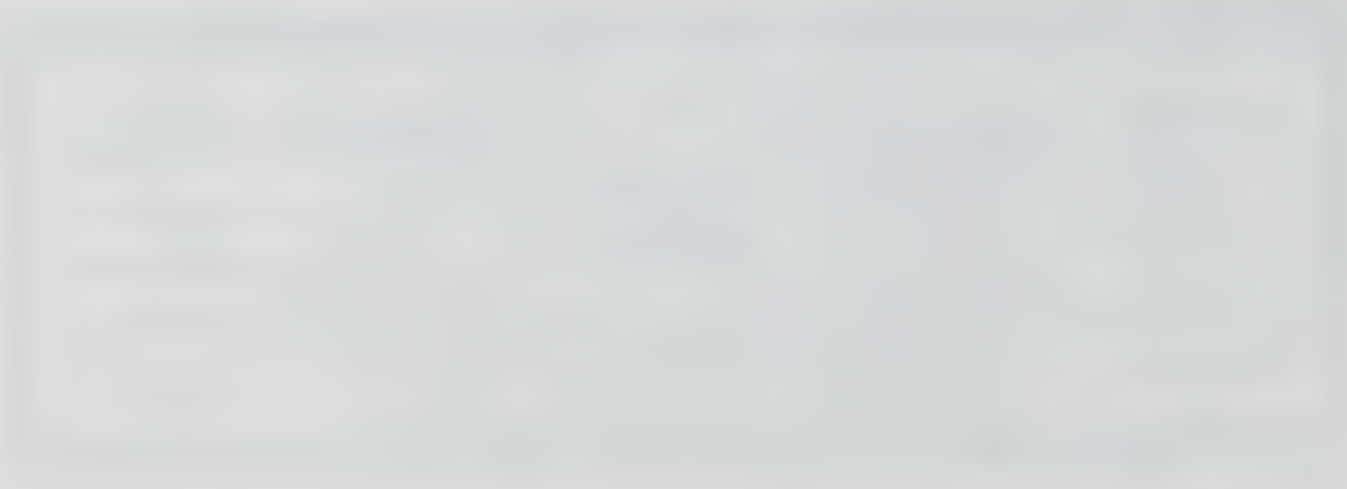
SELECTION PROCESS

RESPONSIBILITY

The Selection Committee shall:

- select a candidate by consensus
- call a special meeting of the Finance and Administration Committee to be held one hour prior to a Council meeting
- invite all members of Council to attend
- recommend their candidate selection to the Finance and Administration Committee

The Finance and Administration Committee shall recommend the selected candidate for City Council approval.



[The following text is extremely faint and illegible. It appears to be a multi-paragraph document, possibly a letter or a report, with several lines of text visible across the page.]

CITY OF HAMILTON
- RECOMMENDATION -

4(b.)

DATE: 1993 April 5

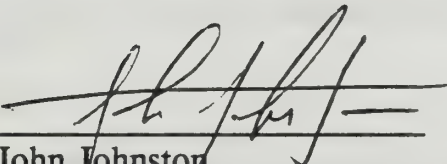
REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. John Johnston
Commissioner of Human Resources

SUBJECT: Student - Summer Hires (C-018-093)

RECOMMENDATION:

That the Corporation of the City of Hamilton adopt a policy of giving preference for summer employment to social assistance recipients (50% of hires) in 1993.



John Johnston

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

BACKGROUND:

See attached.



REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Office of the Clerk

Robert C. Prowse, Clerk
Michael A. Rallo, Deputy Clerk

February 3, 1993

Mr. J. Schatz, Clerk
City of Hamilton
77 Main Street West
Hamilton, Ontario
L8P 1H4

OFFICE OF THE CITY CLERK	
FEB 0 5 1993	
REC. BY <i>JS</i>	DATE
REF'D. TO <i>SKR</i>	DATE
REF'D. TO	DATE
REF'D. TO	DATE
ACTION: <i>For Cmm.</i>	

Dear Mr. Schatz:

**Re: Health and Social Services Committee
Report 2-93, Item 11**

Subjoined, please find Item 11 of Report 2-93 of the Health and Social Services Committee which was approved by Regional Council at its meeting held on Tuesday, February 2, 1993.

11. Student - Summer Hires (SOC 93-013)

- a) That the Region of Hamilton-Wentworth adopt a policy of giving preference for summer employment to social assistance recipients (50% of hires) in 1993;
- b) That this recommendation be forwarded to Area Municipalities and to the Administrative Services Committee for consideration. **Item 4.5**

Would you please ensure that this recommendation is placed on the appropriate Committee Agenda for consideration.

Should you have any questions or concerns, please contact the writer.

Yours truly,

Mary L. Gallagher
Mary L. Gallagher
Legislative Assistant



CITY COUNCIL
HAMILTON, CANADA

Alderman Vince Agro

71 MAIN STREET WEST L8N 3T4 • (416) 546-2730 • RES. (416) 528-2009 – WARD 2

17 March 1993

5(a.)

Memo to: ✓ Mr. J. Thompson, Secretary, Finance & Administration Committee
Ms. L. Sohal, Secretary, Administrative Services Committee

From: Alderman Vince Agro, Chairman, Administrative Services Committee

As per the attached letter, a copy of which was sent to both Don Ross and me, I would like to have this matter placed on the next agenda of both Committees so that the Committee can discuss whether a resolution should be prepared for presentation to the A.M.O. Convention for its endorsement.

It is opportune that this Convention is being held here in Hamilton for the first time in August of this year.

VJA:sn

Attch.

c.c. Alderman Don Ross, Chairman, Finance & Administration Committee
Mr. J. Awad, Manager, Sheraton Hamilton, 116 King W., Hamilton, L8P 4V3



Sheraton Hamilton
HOTEL

OFFICE OF THE GENERAL MANAGER

February 5, 1993

Mr. G. Schmalz
President
Ontario Hotel & Motel Association
34 Ross St.
Toronto, Ontario
M5T 1Z9

Dear Mr. Schmalz:

I am writing to express my concern regarding the licensing of restaurants and bars throughout Ontario with reference to their hours of operation.

One can cross the border at Ottawa to Hull, from Niagara to Buffalo if one wishes to drink past the hour of 1:00 a.m. I have been hearing from tourists and conventioners over the past few years as have many of my colleagues comments such as: "Why are you only open until 1:00 a.m.?" or "Where else can we go after hours?" I have always felt that I did not have a logical answer for these guests except that those are our laws.

I feel that our industry needs a push, any kind of push, to assist us in increasing the traffic to our cities and our establishments. Although it may not solve the problems most of the industry is facing, perhaps it will provide us a step in the right direction. I would much rather take some sort of action than sit idly by and wait for the next thing to happen. Any tourist who comes to our province from across the country or from the United States does not want to feel restricted by our hours which are different from most other cities.

I feel this change is long overdue and bars and restaurants should be allowed to stay open until 2:00 a.m. at least for the weekends when people tend to go out more. We have the advantage of a 24-hour public transportation system available to transport people home in a responsible fashion. I do not feel that the current legislation stops anyone who wants to drink past the hours of 1:00 a.m.; they can sit in a cab and go to a private residence and continue on. It is an adult decision and I do not feel that with a one hour extension there is any reason that people could not continue to drink responsibly.

ITT Sheraton
WORLDWIDE HOTELS, INNS, RESORTS & ALL-SUITES

116 KING STREET WEST, HAMILTON, ONTARIO L8P 4V3
PHONE: (416) 529-5515 FAX: (416) 529-8266



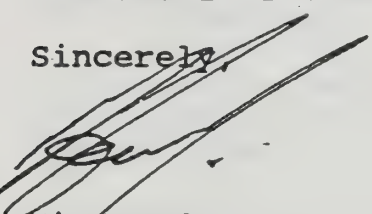
Sheraton Hamilton
HOTEL

Mr. Schmalz
Page 2
February 5, 1993

Who are we kidding anyway? We in Ontario are in the minority with our current legislation and unless we feel we have achieved something superior with our current laws, and the majority of the continent is wrong, only then should we not opt for change.

I feel that all of us in the industry need to show support for this very important issue and I would appreciate the opportunity to discuss it further.

Sincerely,



Jim Awad
General Manager

br

cc: Steven Foster
Vince Agro ✓
Don Ross
Rosanna Caira



MAR 11 1993

CITY COUNCIL
HAMILTON, CANADA

Alderman Vince Agro

71 MAIN STREET WEST L8N 3T4 • (416) 546-2730 • RES. (416) 528-2009 - WARD 2

5(b.)

11 March 1993

Alderman Don Ross, Chairman
Finance & Administration Committee

Dear Alderman Ross:

As per our conversation please place on the agenda of the Finance & Administration Committee the issue dealing with Aldermen charging mileage while on City business.

It is my contention that Aldermen should not be allowed to charge mileage with the exception of travelling out of the Region while on City business eg: convention, seminar, etc.

This issue should be dealt with apart from the Mayoralty issue.

Sincerely,

Vince Agro
Alderman, Ward 2

VJA:sn

c.c. Mr. J. Thompson, Secretary, Finance & Administration Committee
Ms. Deborah Walker, CHCH TV
Mr. Jim Poling, The Spectator

FINANCE AND ADMINISTRATION COMMITTEE

URBAN MUNICIPAL

THURSDAY, 1993 APRIL 8TH

APR 11 1993

CONSENT AGENDA

GOVERNMENT DOCUMENTS

A. ADOPTION OF THE MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

Minutes of the regular meeting held Thursday, 1993 March 25th and minutes of the Special Meetings held Tuesday, 1993 March 30th (two sets).

B. CITY SOLICITOR

By-law to authorize a Change in the Project Cost for a Senior Citizen's Centre at Sackville Hill Memorial Park.

C. THE PARKING AUTHORITY OF THE CITY OF HAMILTON

Purchase of Automotive Equipment.

D. CITY CLERK

- (i) Use of City Hall Forecourt - 1993 Canusa Games Closing Ceremonies.
- (ii) Use of Council Chamber - Culture and Recreation Department - Community Services Marketplace.
- (iii) Use of Council Chamber - Ontario Building Officials Association Chapter Meeting.
- (iv) Use of City Hall Forecourt - Hamilton Area March for Jesus.
- (v) Boy Scout and Girl Guide Annual Parade.
- (vi) Flying of Greek Flag.
- (vii) Fly Flag - Tourette Syndrome.
- (viii) Use of City Hall Facilities - Senior Citizens' Council - 1993 Election Nominations.
- (ix) Use of Council Chambers - Latvian Community.

E. **TREASURER**

Financing - City's Share of "Rymal Square Estates - Phase 4".

F. **MANAGER OF PURCHASING**

Assignment and Extension of Contract for the Supply and Maintenance of Tires, various Departments.

G. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE**

Information Items.

Thursday, 1993 March 25
9:30 o'clock a.m.
Room 233, City Hall

The Finance and Administration Committee met.

There were present: Alderman D. Ross, Chairperson
Alderman B. Charters, Vice-Chairperson
Mayor Robert M. Morrow
Alderman D. Drury
Alderman D. Agostino
Alderman G. Copps
Alderman T. Anderson

A.

Regrets: Alderman V. Agro - Vacation
Alderman T. Cooke - Illness

Also present: Alderman W. McCulloch
Alderman F. Eisenberger
Alderman H. Merling
J. Pavelka, Chief Administrative Officer
J. Johnston, Commissioner of Human Resources
S. Hollowell, City Clerk's Office
P. Noé Johnson, City Solicitor
A. Ross, Treasurer
T. Bradley, Manager of Purchasing
R. Joyce, Fire Department
G. Smith, Deputy Fire Chief
C. Coutts, Secretary to the French Sub-Committee
and Hamilton Status of Women Sub-Committee
K. Beattie, Treasury Department
J. Hindson, Director of Information Systems
Susan K. Reeder, Secretary

A G E N D A

1. PRESENTATION - French Sub-Committee - Roger Paquette, Chairperson and Alderman F. D'Amico, Vice Chairperson.

Roger Paquette, Chairperson of the French Sub-Committee was in attendance and spoke to the Committee with respect to the activities of the French Sub-Committee. Mr. Paquette outlined the City activities that the French Sub-Committee has participated in since its inception. Some of these activities included providing Bilingual Hostesses for portions of the Partners Programme and providing French Language Services for the French Speaking Delegates at the Receptions of the Federations of Municipalities Conference held in Hamilton in 1986 June 1 - 4.

The Sub-Committee has also assisted the Culture and Recreation Department with a Student Exchange Programme between St. Marie DeBeauce, Quebec; assisting local members of Parliament with the Voyageurs Canada '92 Student Exchange Programme; assisting the Culture and Recreation Department by providing French Translation Services for the Pan Am Judo Championship; as well as providing French Translation Services for the Ontario Senior's Games held in Hamilton.

Roger Paquette, advised the Committee of the availability of a Directory of Municipal Documents in French, compiled by the French Language Service Branch of the Ministry of Municipal Affairs.

Mr. Paquette spoke further on this Document and the availability of the material at no charge for the purpose of adapting it for Hamilton's use.

The Committee then approved the following:

"That the Directory of Municipal Documents in French, as prepared by the Ministry of Municipal Affairs, be forwarded to all Standing Committees of City Council for review and referral to the appropriate City Departments that may be interested in adopting certain Municipal Documents already translated into French for their own use."

Alderman McCulloch, who is also a member of the Sub-Committee, spoke to the Committee with respect to the activities of this Committee and spoke very highly of their work and contribution.

2. DELEGATIONS

(a) Mr. Dicianzo re: Development Charges - Silverton Subdivision.

Mr. Joe Dicianzo was in attendance to speak to the Committee with respect to his concerns on Development Charges being levied against Silverton Subdivision.

Peter Lampman of the Building Department was also in attendance. It was agreed that Mr. Lampman would meet with Mr. Dicianzo and bring back a staff report with respect to this situation.

3. MAYOR MORROW - 1996 Sesquicentennial Committee.

Mayor Morrow requested an opportunity to move ahead in the Agenda to introduce persons who have accepted positions with the 1996 Sesquicentennial Celebrations.

The Committee agreed to move this Item ahead and Mayor Morrow introduced Milton Lewis, Q.C., and Ms. Vincenza Travale, who have consented to Co-Chair the Sesquicentennial Committee to organize special events for 1996, Hamilton's 150th Birthday.

Mayor Morrow also indicated that Alderman Wilson, Alderman McCulloch, and Alderman Ross will also serve on this Committee along with Dennis Missett, on behalf of the Hamilton Historical Board. The Mayor further added that the resource people will be Dennis Carson, M. Havelka, and K. Christenson.

The Committee then approved the following:

- (a) That a Sesquicentennial Committee to organize special events for 1996, Hamilton's 150th Birthday, be established; and,
- (b) That this Sesquicentennial Committee be co-chaired by Mr. Milton Lewis, Q.C. and Miss Vincenza Travale; and,
- (c) That City Councillors on this Committee consist of Alderman W. McCulloch, Alderman D. Ross and Alderman D. Wilson; and,
- (d) That members of Council and the Co-Chairs work together to establish the Committee so that it is representative of the many special organizations in the City; and,
- (e) That Mr. D. Missett serve on the Committee as the representative of the Hamilton Historical Board; and,

- (f) That staff resource persons on this Committee consist of Dennis Carson, Executive Assistant to the Mayor; Marilyn Havelka, Manager of Cultural Services; and Kevin Christenson, City Clerk's Department and Secretary to the Committee.

2. DELEGATIONS

- (b) Evelyn Myrie, Chairperson and Christine Templeton, member, Hamilton Status of Women Sub-Committee - Results of Safety Audit.

The Chairperson and a member of the Hamilton Status of Women Sub-Committee were in attendance to speak to the Committee with respect to the results of the Safety Audit.

Before beginning on this presentation the Chairperson requested consideration of a waiting list for appointments to the Committees as they arise, rather than going through the advertising and interviewing process. It was indicated to her that in fact the Selection Committee does refer first to the list from the previous selection process prior to following through completely on a new procedure.

The Chairperson of the Status of Women Sub-Committee then referred to the recommendations contained in the report of the Secretary of the Hamilton Status of Women Sub-Committee dated 1993 March 18.

Considerable discussion ensued with respect to the procedures to be followed in implementing the Women's Safety Audit.

The Committee then approved the following:

That the recommendations contained in the report of the Secretary of the Hamilton Status of Women Sub-Committee dated 1993 March 18, respecting the Women's Safety Audit Project, be approved and forwarded to the Chief Administrative Officer to meet with the Hamilton Status of Women Sub-Committee and the appropriate staff for the purpose of reporting back to the Finance and Administration Committee on the costing implications and procedures to be undertaken in carrying out the recommendations contained in the Women's Safety Audit Project Report.

Note: Alderman Anderson and Alderman Charters are opposed to Section (c)(ii) - which reads "respond promptly, effectively, and in a responsible manner to threats or reports of potentially dangerous circumstances" in relation to the Hamilton-Wentworth Regional Police.

The recommendations contained in the report as noted above, which were approved and forwarded to the Chief Administrative Officer, read as follows:

- (a) That, as a result of the Safety Audit conducted by the Hamilton Status of Women Sub-Committee in co-operation with Pal-Tech Engineering Inc. in 1992 July, the results of the completed Safety Audit Checklists be referred to the appropriate City Departments for review and action.

- (b) That a Safe City Committee, consisting of representatives from City Council; City Departments; women's groups, including representation from the Hamilton Status of Women Sub-Committee, and citizens concerned about women's safety in our City be established to:
 - (i) follow and monitor the recommendations contained in the Safety Audit Report; and,
 - (ii) develop further policy aimed at the prevention of violence against women.
- (c) That, as a result of the findings and comments received during the Safety Audit Project, the Hamilton-Wentworth Regional Police Department be requested to:
 - (i) maintain neighbourhood crime records with separate categories for the total overall assaults against women and the total sexual assaults or offenses against women, noting the location and specific information related to these assaults;
 - (ii) respond promptly, effectively, and in a responsible manner to threats or reports of potentially dangerous circumstances;
 - (iii) assign an appropriate high priority to reported incidents of assault against women; and,
 - (iv) place a greater priority on Neighbourhood Watch Programs to the issue of violence against women.
- (d) That the Office of the Solicitor General be requested to:
 - (i) maintain crime statistics for Ontario communities based on the total overall assaults against women and the total sexual assaults and offenses against women;
 - (ii) establish appropriately stringent sentencing policies and strict parole supervision for men who have committed violent acts against women.
- (e) That Bell Canada be advised of the results of the Safety Audit Checklists which address the need for better access to telephones in the event of an emergency.

4. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda and approved the following:

A. ADOPTION OF THE MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the minutes of its meeting held Thursday, 1993 March 4th and approved these minutes as circulated.

B. CITY SOLICITOR**(i) Debenture By-law Capital Projects - 1993.**

The Committee was in receipt of a report from the City Solicitor dated 1993 March 3, respecting the above noted matter and the Committee approved the forwarding of the above noted By-law to City Council for enactment.

(ii) By-law to Amend and Consolidate By-law 79-323, being the City of Hamilton Licensing Code.

The Committee was in receipt of a report from the City Solicitor dated 1993 March 18, respecting the above noted matter and approved that the above referenced Bill should be forwarded to City Council for enactment.

C. MANAGER OF PURCHASING**(i) Extension of Purchase Order, Supply and Delivery of Petroleum Products, Various Locations.**

The Committee was in receipt of a report from the Manager of Purchasing dated 1993 March 2, respecting the above noted matter and approved the following:

That the City exercise its option to extend to 1994 April 30, the purchase order issued to Imperial Oil Limited, Willowdale, for the supply and delivery of Petroleum Products to various locations.

(ii) Supply and Delivery of Safety Boots, Purchasing Stores.

The Committee was in receipt of a report from the Manager of Purchasing dated 1993 March 4, respecting the above noted matter and approved the following:

That a purchase order be issued to Emille Shoes Ltd., Burlington, to supply and deliver safety boots as and when required during 1993 to Purchasing Stores, being the lowest of eight tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be financed through Purchasing Stores Inventory Account No. CH56103 28999.

ADDED - Replacement of One (1) Self-contained 15 Foot Rotary Mower, Fleet Services

The Committee was in receipt of a report from the Manager of Purchasing dated 1993 March 22, respecting the above noted matter and approved the following:

That a purchase order be issued to R.M.C. Equipment Ltd., Newmarket, in the amount of \$64,285. including all taxes, for the replacement of one self-contained 15 foot Rotary Mower for Fleet Services, being the lowest acceptable of nine tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and be financed through Reserve for the Replacement of Mobile Equipment Account No. CH5X503 00101.

CONTRACT AWARDS TO OTHER THAN LOWEST TENDER

Some discussion ensued with respect to a Recommendation of Purchase where the lowest tender is not being recommended. While it was recognized that there is no disagreement with staff's recommendation, it is requested however, that when the lowest tender is not being recommended that the staff report should indicate the reasons why the City should award the work to other than the lowest tender.

D. TREASURER, DIRECTOR OF INFORMATION SYSTEMS AND DIRECTOR OF TRAFFIC SERVICES - Information Report - Legislated Changes in the Enforcement and Collection Procedures for Parking Violators.

The Committee was in receipt of the above noted Information Report dated 1993 March 17, and it was agreed to receive this report for information purposes.

E. CITY CLERK

(i) Student Night Walk and Rally.

The Committee was in receipt of a report from the City Clerk dated 1993 March 12, respecting the above noted matter and approved the following:

- (a) That approval be given to KNightwatch, a Hamilton District Christian High School student group, to use the forecourt on Thursday, 1993 May 20 from 7:00 - 9:30 o'clock p.m. for a night walk and rally against violence against women and children; and,
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

(ii) Flying of Slovak Flag.

The Committee was in receipt of a report from the City Clerk dated 1993 March 9, respecting the above noted matter and approved the following:

- (a) That approval be given to the action taken by the City Clerk in authorizing the Slovak flag to be flown at City Hall on 1993 March 13 and 14 to celebrate the Independence of the Slovak Republic; and,
- (b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.

(iii) Reviewing Stand - Royal Canadian Legion 38th Biennial Convention.

The Committee was in receipt of a report from the Acting City Clerk dated 1993 March 16, respecting the above noted matter and approved the following:

- (a) That approval be given to the request of the Ontario Command of the Royal Canadian Legion to have a reviewing stand together with canopy and nine chairs erected on the west side of James Street, south of York Street, on Sunday, 1993 May 9, to be in position by 12:00 o'clock noon and removed at approximately 3:15 o'clock p.m. on the occasion of the 38th Biennial Convention parade and opening ceremonies; and,
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

(iv) Renewal of Xerox Photocopier Contract.

The Committee was in receipt of a report from the Acting City Clerk dated 1993 March 19, respecting the above noted matter and approved the following:

That the City exercise its option to renew the Agreement with Xerox Canada, Hamilton, Ontario for the 9900 and 5090 photocopiers located in the Service Department at an estimated cost of \$9,199.33 per month for the period ending 1995 June 30.

(v) Hamilton Corporate Challenge.

The Committee was in receipt of a report from the City Clerk dated 1993 March 22, respecting the above noted matter and approved the following:

- (a) That consistent with previous years, an amount of \$2,625.80 be approved for the Hamilton Corporate Challenge to be used towards the cost of entering and sponsoring two (2) teams of Civic employees taking part in the Hamilton Corporate Challenge being organized by the Hamilton and District Chamber of Commerce which will be held on Sunday, 1993 June 13th at Christie Conservation Area; and,
- (b) That this expenditure be financed from the Unclassified Account.

F. COMMISSIONER OF HUMAN RESOURCES

(i) Heavy Construction Association of Ontario and the United Brotherhood of Carpenters and Joiners of America, Local 18.

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1993 March 17, respecting the above noted matter and approved the following:

That the contract settlement between the Heavy Construction Association of Ontario and the United Brotherhood of Carpenters and Joiners of America, Local 18, be received pursuant to the Fair Wage Policy of the City of Hamilton

(ii) Appointments To and Terminations From Permanent Positions with the Corporation of the City of Hamilton to 1993 March 18th.

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1993 March 17, respecting the above noted matter and approved the following:

That the listing of Appointments To and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1993 March 18, be approved.

G. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items.

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee dated 1993 March 22, respecting the distribution of Information Items.

The Committee approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

- (a) Information Report - City Solicitor - Prosecution of Provincial Offences - Summary -December 1992 - February 1993 - dated 1993 March 2nd.
- (b) Information Report - City Solicitor - Removal of City tree - 111 St. Clair Avenue - dated 1993 March 11th.
- (c) Information Report - Secretary, City of Hamilton Licensing Committee - Taxi Industry Promotional Schemes - dated 1993 March 15th.
- (d) Minutes - Keep Hamilton Clean Committee - 1993 February 3rd meeting.
- (e) Information Report - Acting City Clerk - Tobacco Shop and Video Store Inspection Report.
- (f) Minutes - English Language Sub-Committee - 1993 January 19th meeting.

5. DIRECTOR OF CULTURE AND RECREATION - Capital Project Subsidies for Dundurn Castle and Whitehern.

The Committee was in receipt of a report from the Director of Culture and Recreation dated 1993 March 16, respecting the above noted matter and approved the following:

- (a) That as referred to in Section 14 of the Seventh Report for 1993 of the Parks and Recreation Committee, the gross cost authorized by City Council in March of 1991, for restoration projects at Dundurn Castle and Whitehern, be increased to the revised capital appropriation based upon 1992/93 additional subsidies received from provincial and federal grants according to the following:

<u>Capital Project</u>	<u>Gross Cost Authorized by Council (1991)</u>	<u>Rec'd & Approved Subsidies 1992/93</u>	<u>Revised Authorization Requested</u>
(i) Dundurn Castle Restoration CF 719141002	\$600,000.	\$708,500.	\$1,308,500.
(ii) Cockpit Restoration(Dundurn) CF 719141008	\$260,000.	\$147,500.	\$ 407,500.
(iii) Whitehern Restoration CF 71914007	\$500,000.	\$176,508.	\$ 676,508.

These subsidies, applied for an increase to the scope of needed restoration work, were received based on the formula which accepted the 1991 commitment of City Council; and,

- (b) That the City Treasurer be authorized to review the gross cost of the projects and adjust financing accordingly.

ADDED - Special Presentation

Mayor Morrow brought The Honourable David Christopherson, Solicitor General and Minister of Correctional Services, to the meeting and members of the Committee welcomed him back to City Hall.

The Solicitor General made a special presentation to Mayor Morrow of a cheque, in the amount of \$129,000., for funding under the P.R.I.D.E. Programme for the Cental Beasley Neighbourhood.

Some discussion ensued with the Solicitor General and members of the Committee thanked him for stopping by.

6. TREASURER

(a) Vehicle Replacement - 1993.

The Committee was in receipt of a report from the Treasurer dated 1993 March 8, respecting the above noted matter.

Alderman Anderson expressed concerns that this report did not indicate details regarding the vehicle being replaced. He expressed frustrations that he had requested this type of information to be included on all future type of replacement recommendations.

It was agreed that the Chief Administrative Officer would ensure that members of City Council obtain this information prior to the City Council meeting.

The Committee then approved the following:

That the following fully depreciated Fire Department vehicles be replaced in 1993 and that the estimated replacement cost of \$130,000. be charged to the Reserve for Replacement of Mobile Equipment, Centre No. 00101:

<u>Vehicle</u>	<u>Description</u>	<u>Estimated Replacement Cost</u>
(a) 1692	Mid-size Car - Fire Prevention Bureau	\$ 18,000.
(b) 1693	Mid-size Car - Fire Prevention Bureau	18,000.
(c) 1695	Mid-size Car - Fire Prevention Bureau	18,000.
(d) 1684	One-ton Pick Up Truck (Supply Truck)	26,000.
(e) 1683	Full-size Emergency Car	25,000.
(f) 1694	Full-size Emergency Car	<u>25,000.</u>
Total		<u>\$130,000.</u>

(b) City of Hamilton Banking Arrangements.

The Committee was in receipt of a report from the Treasurer dated 1993 March 17, respecting the above noted matter and approved the following:

- (a) That the Treasurer be authorized to extend the City of Hamilton's current banking arrangements with the Canadian Imperial Bank of Commerce from the current expiry date of 1993 June 30, to a new expiry date of 1993 October 15; and,
- (b) That the "Proposal Call for Banking Services" be prepared on the basis of a five year period commencing 1993 October 18.

7. GRANTS GRANDFATHER TASK FORCE - Grant Classifications and Alternative Sources of Funding.

The Committee was in receipt of a report from the Grants Grandfather Task Force dated 1993 March 22.

A considerable amount of discussion ensued with respect to the recommendations contained in the report.

A motion was moved and seconded to table this report until all Groups involved are consulted with a report back to the Committee.

MOTION LOST.

The Committee approved that the above noted report be forwarded to the Committee of the Whole meeting being held Friday, 1993 March 26, for consideration as part of the deliberations for the 1993 General Grants.

The following recommendations are therefore being forwarded to the Committee of the Whole meeting:

- (a) That to ensure all Grant applicants do not become dependent on City of Hamilton funding and allow new groups to receive funding, the Grant Policy be amended to reflect the following Sunset grant classification as outlined on Exhibit 1;

- (b) That this classification be assigned to the successful 1993 Grant recipients by the Committee of the Whole during their deliberations on 1993 March 26, of the 1993 General Grants;
- (c) That all general grant applicants be made aware of and encouraged to use alternative sources of funding, either through the use of Lottery Schemes (eg. Nevada Break-open tickets, Bingo), or requesting funds from local Service Clubs, Foundations, private donations and other levels of Government, in addition to the applicants normal revenue raising activities;
- (d) That these recommendations be forwarded to the Committee of the Whole meeting 1993 March 26, for their consideration as part of the deliberations for the 1993 General Grants.

The Grants Co-Ordinator indicated to members of the Committee that the Committee of the Whole meeting scheduled for the next day would commence at 10:30 o'clock a.m. and that 56 Groups had requested the opportunity to make brief presentations to that Committee of the Whole meeting.

The Grants Co-Ordinator also obtained the concurrence of the members of the Committee that he would hand out a note to all Groups making presentations to indicate to them that the Committee of the Whole would make decisions at the end of the day, not after each presentation. The Grants Co-Ordinator added that in this way it would alleviate the Chairperson of the Committee of the Whole from indicating this information to each Group individually.

8. CITY CLERK - Street Vendors Program.

The Committee was in receipt of a report from the Acting City Clerk dated 1993 March 17, respecting the above noted matter.

Alderman Copps indicated that there was recently a Toronto case, respecting Street Vendors, where there was a claim of violation of Constitutional Rights. The Manager of Licencing was directed to look into this and include this in his report back to the Committee.

The Manager of Licencing indicated that it was his intent to report back to the Finance and Administration Committee by the end of May and that he would like to have the B.I.A.'s involved in the Street Vendors Program process.

The members of the Committee appointed Alderman Drury, Alderman Charters and Alderman Agostino to serve on this Ad Hoc Sub-Committee to review the City's Street Vendors Program.

9. TAXI ADVISORY COMMITTEE - Taxi Stands on Rebecca Street.

The Committee was in receipt of a report from the Secretary of the Taxi Advisory Committee dated 1993 March 9, respecting the above noted matter.

Some discussion ensued with respect to the amount of off-street parking that will remain if this recommendation is approved and also discussion on where the Public Drop-off Spots will be and concern that they be in good locations to assist elderly persons dropping off other elderly persons and having to walk a great distance to the Bus Terminal.

The Committee approved the following:

That the Transport and Environment Committee be requested to consider the removal of three parking meters on the North side of Rebecca Street in front of the Bus Terminal and that the existing Taxi Stand be extended into this space.

10. HAMILTON FARMERS' MARKET SUB-COMMITTEE

(a) Temporary Stallholder Signage.

The Committee was in receipt of a report from the Secretary of the Hamilton Farmers' Market Sub-Committee dated 1993 March 16, respecting the above noted matter. The Committee approved the following:

- (a) That Market By-law 92-310 be amended to allow for Temporary Stallholder Signage, to be displayed on stalls at the Hamilton Farmers' Market when occupied by daily vendors; and,
- (b) That the City Solicitor be directed to prepare the necessary By-law amendment to adopt such temporary signage.

(b) Directional Signage - Hamilton Farmers' Market.

The Committee was in receipt of a report from the Secretary of the Hamilton Farmers' Market Sub-Committee dated 1993 March 17, respecting the above noted matter and approved the following:

That Regional Council via its Transportation Services Committee be requested to consider allowing the placement of directional signage for the Hamilton Farmers' Market on York Boulevard and on Main Street West at the Highway 403 exits, as a further means of promoting the Hamilton Farmers' Market.

11. HAMILTON HISTORICAL BOARD - Location of Canadian Club Plaque.

The Committee was in receipt of a report from the Acting Secretary of the Hamilton Historical Board dated 1993 March 19, respecting the Location of the Canadian Club Plaque.

The Committee approved the following:

That the Canadian Club of Hamilton's Centennial Conference Committee be advised that their proposed commemorative plaque should be erected on the Pigott Building, the location of the original plaque installed in 1913, rather than on City Hall grounds.

ADDED - Director of Information Systems - "976" Call Blocking Resolution

The Committee was in receipt of an added report from the Director of Information Systems dated 1993 March 22, respecting the above-noted matter. The Committee approved the following:

- (a) That Bell Canada be requested to either:
 - (i) Withdraw all charges that currently apply to inhibit "976" calls,

or,

- (ii) Only provide access to 976 services via the use of a Bell Calling Card; and,
- (b) That copies of this resolution be forwarded to the Regional Municipality of Hamilton-Wentworth with a request to give consideration to its endorsement; and,
- (c) That copies of this resolution be forwarded to the Canadian Radio-television and Telecommunications Commission (CRTC), AMO, and all Ontario Municipalities with a population greater than 50,000.

ADDED - Referral - Regional Municipality of Hamilton-Wentworth - Location of the "Ontario Clean Water Agency" in Greater Hamilton.

The Committee was in receipt of an added Item of correspondence from the Regional Clerk's Office respecting the above noted matter.

The Committee approved the following:

That the City Clerk advise the Region that the City of Hamilton supports the Regional Municipality of Hamilton-Wentworth's invitation and initiatives to the Ministry of the Environment to locate the Ontario Clean Water Agency in the Greater Hamilton area.

ADDED - Funding - Consultant - Hamilton GO Transit Centre - 36 Hunter Street

The Committee was in receipt of a report from the Secretary of the Planning and Development Committee dated 1993 March 10, respecting the above noted matter and the following recommendation:

That the Finance and Administration Committee be requested to identify a source of funding required to hire a Consultant at a cost of \$60,000. to review and comment on all GO Hamilton Transit Centre plans for 36 Hunter Street.

The Chief Administrative Officer indicated that he has made the necessary arrangements to do this work In-House.

12. IN CAMERA AGENDA

The Committee moved into an In-Camera session to hear matters of a Private and Confidential nature.

The Committee moved back into Regular session and approved the following:

- (a) The Ontario Court (General Division) No. 92-QC-24385 be resolved by payment to the Plaintiffs, of the sum of \$7,000. in full satisfaction of their claim for damages, interest and costs; and,
- (b) That the Plaintiffs provide the City with a Full and Final Release in a form satisfactory to the City Solicitor; and,
- (c) That the above mentioned Action be dismissed without costs; and,
- (d) That staff review the City's Sewer-Tree Root Policy and report back to the Transport and Environment Committee; and,

- (e) That the City, through its Chief Administrative Officer and Director of Public Works initiate discussions with the Region, through its Chief Administrative Officer and Commissioner of Transportation/Environmental Services on the condition of the sewer infrastructure and resulting damage.
- (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 11461/88 by making an all-inclusive contribution of \$3,300. toward settlement with the Plaintiff; and,
- (b) That the Plaintiffs be required to sign a Full and Final Release in a form satisfactory to the City Solicitor; and,
- (c) That the Ontario Court (General Division) Action No. 11461/88 and any and all crossclaims be dismissed without costs.
- (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 6049/88 by the payment to the Plaintiff, Claudine Sheppard personally and as Litigation Guardian for Earl and Elizabeth Sheppard and Kenneth Pitre, of the sum of \$2,000. inclusive of all damages, interests and costs; and,
- (b) That the Plaintiffs be required to provide a Full and Final Release in a form satisfactory to the Law Department; and,
- (c) That Ontario Court (General Division) Action No. 6049/88 and any and all cross and counter-claims be dismissed without costs.

That the City of Hamilton settle Ontario Court (General Division) Action Nos. 13669/88 on the following terms:

- (a) That the City pay to the Plaintiff 617376 Ontario Inc., \$580.50, inclusive of damages, interest and costs; and,
- (b) That the Plaintiff be required to execute a Full and Final Release of the City of Hamilton in a form satisfactory to the City Solicitor; and,
- (c) That the Plaintiff's action and all crossclaims be dismissed without costs.

14. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1993 March 25**

Tuesday, 1993 March 30
6:30 o'clock p.m
Room 233, City Hall

A special meeting of the Finance and Administration Committee was held.

There were present: Alderman D. Ross, Chairperson
Alderman B. Charters, Vice-Chairperson
Mayor Robert M. Morrow
Alderman G. Copps
Alderman T. Cooke
Alderman T. Anderson
Alderman D. Agostino

Regrets: Alderman V. Agro - Vacation
Alderman D. Drury - City Business

Also present: Alderman T. Jackson
Alderman M. Kiss
Alderman H. Merling
Alderman D. Wilson
Alderman F. Eisenberger
Alderman B. Morelli
Alderman F. D'Amico
J. Pavelka, Chief Administrative Officer
J. Johnston, Commissioner of Human Resources
D. Jones, Human Resources Centre
A. Ross, Treasury
D. Vyce, Director of Property
J. Schatz, City Clerk
Fire Chief Baker
D. Carson, Executive Assistant to the Mayor
J. Hindson, Director of Information Systems
P. Noé Johnson, City Solicitor
B. Sugden, Director of Culture and Recreation
D. Lobo, Director of Public Works
M. Mascarenhas, General Manager, Housing Department
V. Abraham, Director of Local Planning
P. Lampman, Building Department
M. Main, Director of Traffic Services
Susan K. Reeder, Secretary

The Committee had before it a listing of Agenda Items as follows:

A G E N D A

1. **CHIEF ADMINISTRATIVE OFFICER AND
COMMISSIONER OF HUMAN RESOURCES - Status Report - Impact of Layoffs.**
2. **COMMISSIONER OF HUMAN RESOURCES - Contract - Chief Administrative
Officer.**

As the above noted matters were issues of a Private and Confidential nature, it was moved by Alderman Cooke, seconded by Alderman Anderson and carried to move In-Camera to discuss these items.

The Committee did not reconvene into Regular Session.

Taken as read and approved,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder, Secretary
1993 March 30**

Tuesday, 1993 March 30
8:30 o'clock p.m
Room 233, City Hall

A second special meeting of the Finance and Administration Committee was held.

There were present: Alderman D. Ross, Chairperson
Alderman B. Charters, Vice-Chairperson
Mayor Robert M. Morrow
Alderman D. Agostino
Alderman T. Cooke
Alderman G. Copps
Alderman T. Anderson

Regrets: Alderman V. Agro - Vacation
Alderman D. Drury - City Business

Also present: Alderman H. Merling
Alderman F. Eisenberger
Alderman F. D'Amico
Alderman M. Kiss
Alderman T. Jackson
J. Johnston, Commissioner of Human Resources
Susan K. Reeder, Secretary

A second special meeting of the Finance and Administration Committee was held immediately following the regular City Council meeting.

The Committee agreed that since this matter was of a highly sensitive nature, that all staff, including the Committee Secretary, were asked to leave.

The members of Council then held an informal session.

The meeting then reconvened into a regular session and the following motion, moved by Alderman Cooke, seconded by Alderman Charters and carried was approved:

- (a) That Mr. J. Pavelka, Director of Public Works, be appointed Chief Administrative Officer for the period 1993 June 1 through 1993 December 31 within the salary range "A" and that the City Solicitor be authorized and directed to amend the necessary by-laws and that Mr. J. Pavelka be re-appointed as Director of Public Works, effective 1994 January 1.
- (b) That Mr. D. Lobo, Manager of Streets and Sanitation, be appointed as Director of Public Works for the period 1993 June 1 through 1993 December 31 within the salary range "B" and that effective 1994 January 1 be re-appointed as Manager of Streets and Sanitation.
- (c) That the process of advertising for a Chief Administrative Officer commence immediately; and,
- (d) That the Terms of Reference for One-Tier Administration be tabled within 30 days and a Consultant hired within 60 days.

There being no further business, the meeting then adjourned.

Taken as read and approved,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

Susan K. Reeder
Secretary
1993 March 30

CITY OF HAMILTON
- RECOMMENDATION -

B.

DATE: 1993 March 24

MAR 25 1993

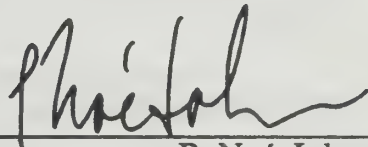
REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: By-law to Authorize a Change in the Project Cost for a
Senior Citizen's Centre at Sackville Hill Memorial Park

RECOMMENDATION:

That the attached By-law be enacted by City Council.



P. Noé Johnson

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

On June 30, 1992 City Council in adopting Item 33 of the 14th Report of the Finance and Administration Committee authorized the City Solicitor to revise Ontario Municipal Board approval for this project by increasing the gross cost from \$3,500,000.00 to \$3,694,000.00 and reducing the debenture authority by \$281,000.00 (due to the receipt of a provincial grant of \$475,000.00) from \$3,500,000 to \$3,219,000.00. Due to changes in the Municipal Act, Ontario Municipal Board approval is not needed for these changes to this project.

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Authorize an Amendment to:

**THE CONSTRUCTION OF A SENIOR CITIZEN'S CENTRE
AT SACKVILLE HILL MEMORIAL PARK**

WHEREAS by Order dated the 8th day of February 1991, The Ontario Municipal Board approved the construction of a Senior Citizen's Centre at Sackville Hill Memorial Park and the issuance of debentures in the amount of \$3,500,000.00;

AND WHEREAS the Council of The Corporation of the City of Hamilton enacted By-law No. 91-058 on March 26, 1991 to authorize the construction of a Senior Citizen's Centre at Sackville Hill Memorial Park at a gross cost of \$3,500,000.00;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 33 of the 14th Report of the Finance and Administration Committee at its meeting held on the 30th day of June, 1992, authorized a change in the gross cost and the debentured amount of this project;

AND WHEREAS Ontario Regulation 710/92 enacted under the authority of the Municipal Act, R.S.O. 1990, Chapter M.45, establishes a limit for a municipality's debt obligations which do not require the approval of the Ontario Municipal Board;

AND WHEREAS the financial commitments, liabilities and debt charges of the project listed below and The Corporation of the City of Hamilton's other debts and debt charges will not exceed the City's debt limit as specified by the Municipal Act and Regulation 710/92;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The construction of a Senior's Centre at Sackville Hill Memorial Park may proceed as described in Schedule "A" attached to and forming part of this By-law at the gross cost of \$3,694,000. The debentured amount of this project is decreased to \$3,219,000.00.
2. The City Treasurer is authorized to arrange the issuance of the necessary debentures to a maximum of \$3,219,000.00 for a term not to exceed twenty years by The Regional Municipality of Hamilton-Wentworth and chargeable to the City.
3. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to this By-law.

PASSED this day of , 1993.

City Clerk

Mayor

SCHEDULE "A" TO BY-LAW 93-

<u>Project</u>	<u>Gross Cost</u>	<u>Receipts & Subsidies</u>	<u>Debenture Amount</u>	<u>Term of Debenture</u>
1) Sackville Hill Senior Citizens' Centre	\$3,694,000	\$ 475,000	\$3,219,000	20 years

CHAIRMAN:
DERMAN VINCE AGRO
MEMBERS
IAN DOMINIC AGOSTINO
IAN FRANK D'AMICO



THE PARKING AUTHORITY OF THE CITY OF HAMILTON

PETER G. BAKER
GENERAL MANAGER

TELEPHONE (416) 523-PARK
FAX (416) 523-0878

80 MAIN STREET WEST, HAMILTON, ONTARIO L8P 1H6
RECOMMENDATION

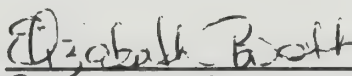
DATE: March 29, 1993

REPORT TO: Susan Reeder, Secretary
Finance and Administration Committee

FROM: Peter G. Baker, General Manager
The Parking Authority of the City of Hamilton

SUBJECT: Purchase of Automotive Equipment

RECOMMENDATION: That the Parking Authority be authorized to purchase one 3/4 ton van as replacement to an existing 1980 1/2 Ton Pick up truck.


for Peter G. Baker, General Manager

FINANCIAL IMPLICATION: This vehicle will cost approximately \$18,000 and will be acquired using the tender process. Funds are available within the Parking Authority vehicle depreciation account.

BACKGROUND: The Board of the Parking Authority approved this action at its meeting of September 17, 1992. Because of general budget constraints the Board put this item over to April 1, 1993 for action.

The vehicle to be replaced is a 1980 Ford 1/2 ton pickup truck. The odometer reading is 98,300 miles. This truck is used sparingly because it will require major repairs to keep it on the road. The truck is not road worthy any longer and approximately \$2,500.00 dollars will be required to replace this vehicle in shape; Tires being the first priority at an approximate cost of \$600.00.

With our re-organization of the Operations Centre into Meter Servicing and Collections as well as the progression into the 40 odd electronic Pay and Display Ticket Machines, the scope of work we perform daily has changed dramatically. The usefulness of this vehicle has greatly diminished because of its type. The replacement vehicle should be a 3/4 ton window van which will be used by both the Meter Technician and the Maintenance Technician. The work performed by these staff persons is highly technical. The safety and security required to transport equipment can only be accomplished with a closed-in vehicle such as a van.

Presently the Maintenance Foreperson, the Meter Technician, and Maintenance Technician are sharing one van.



CITY OF HAMILTON
- RECOMMENDATION -

D(i)

DATE: 1993 March 25

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: 1993 Canusa Games Closing Ceremonies - Use of City
Hall Forecourt

RECOMMENDATION:

- a) That approval be given to the request of the Canusa Games Board of Directors to use the City Hall Forecourt and have access to the first floor washrooms on Sunday, 1993 August 8 from 9:00 a.m. to 12:00 noon for the purposes of holding the 1993 Canusa Games Closing Ceremonies.
- b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

*J. J. Schatz for
J. J. Schatz*

\$120.00 in Property Maintenance staff costs to be paid for by the Canusa Games.

BACKGROUND:

1993 marks the 36th Annual Canusa Games, a sports competition between Flint, Michigan and Hamilton, Ontario.

c.c. Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Charlene Coutts, Secretary, Canusa Games Board of Directors
Information Desk
File

D
(ii)

CITY OF HAMILTON
- RECOMMENDATION -

MAR 29 1993

DATE: 1993 March 25

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Culture and Recreation Department -
Use of Council Chamber

RECOMMENDATION:

- (a) That the Culture and Recreation Department be granted approval to use the Council Chamber as follows:
- i) Wednesday, 1993 April 28 from 6:30 - 10:00 p.m. for a Community Services Marketplace.
 - ii) Wednesday, 1993 November 24 from 6:30 - 10:00 p.m. for an Information Meeting.
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The Culture and Recreation Department is requesting the use of the Council Chamber on Wednesday, April 28 for a Community Services Marketplace. This Marketplace will be an information meeting at which community agencies will share information and services available.

On Wednesday, November 24 the Culture and Recreation Department will be hosting the Community Council Annual Information Meeting which will be open to the public. Approximately 100 persons are expected to attend each of the two meetings.

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Information Desk
Barb Spolnik, Admin. Ass't., Recreation Services, Culture & Recreation Department
File

CITY OF HAMILTON

- RECOMMENDATION -

D
(iii)

MAR 29 1993

DATE: 1993 March 24

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Ontario Building Officials Association Chapter Meeting

RECOMMENDATION:

- (a) That approval be given to the action taken by the City Clerk in authorizing the use of the Council Chambers by the Niagara Chapter of the Ontario Building Officials Association to hold its March monthly chapter meeting on Thursday, 1993 March 25 from 7:30 - 10:30 p.m.
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The Niagara Chapter of the Ontario Building Officials Association consists of Municipal Building Inspectors, Plan Examiners and Chief Building Officials from the City of Hamilton and surrounding Niagara region.

Monthly meetings are attended by approximately 20 - 35 people and are rotated. In the past, meetings have been held in the Council Chambers of the City of Niagara Falls, the City of Stoney Creek, the Town of Ancaster and the Town of Lincoln. In 1992 the City of

Finance and Administration Committee

Re: Ontario Building Officials Association Chapter Meeting

... 2

Hamilton Council Chamber was used for the April meeting of the Ontario Building Officials Association.

The Guest Speaker at the March 25th meeting will be Mr. John Gryffyn, Assistant Manager from the Ministry of Housing, Ontario Building Branch, and he will be addressing concerns relating to the Ontario Building Code which Building Officials working in Hamilton -Wentworth and the surrounding municipalities are currently attempting to resolve.

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Information Desk
File

D
(iv)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 24

MAR 29 1993


REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: March for Jesus - Use of City Hall Forecourt

RECOMMENDATION:

- (a) That approval be given to the request of the Hamilton Area March for Jesus Co-ordinating Committee to use the City Hall forecourt and related equipment on Saturday, 1993 April 17 at 11:00 a.m. for a concert of praise.
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in Account CH 55222-10034 - Use of City Hall Facilities and Equipment by Outside Groups for staff overtime associated with this event in the approximate amount of \$90.00.

BACKGROUND:

On Saturday, 1993 April 17, the Hamilton Area March for Jesus Co-ordinating Committee are organizing a march from a downtown Church commencing at 9:00 a.m. with a prayer service, continuing at City Hall with an 11:00 a.m. Concert of Praise, and thence marching to Gore Park.

Finance and Administration Committee
March for Jesus - Use of City Hall Forecourt

... 2

The March for Jesus will be celebrated internationally and the Hamilton area march will be a gathering of participants from all the Christian churches in the greater Hamilton area.

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Information Desk
File

D (v)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 2

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: Boy Scout and Girl Guide Annual Parade

RECOMMENDATION:

- (a) That the Manager, Property Maintenance Division, be authorized and directed to erect a reviewing stand and all other pertinencies on the south sidewalk on Main Street West in front of City Hall on Saturday, 1993 May 29, to be in place from 8:45 a.m. to 11:45 a.m. on the occasion of the annual Boy Scout and Girl Guide Parade.
- (b) That Scouts Canada be granted permission to use the forecourt and forecourt area east of City Hall for a dispersal area following the Boy Scout and Girl Guide Parade.
- (c) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

J. J. Schatz for
J. J. Schatz

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in Account #CH55222-10034 - Use of City Facilities by Outside Groups for costs associated with this event in the approximate amount of \$700.00.

BACKGROUND:

The Boy Scout Parade is an annual event and the City has traditionally provided a reviewing stand and seating for dignitaries and guests.

Last year Scouts Canada used the east side of the lower level parking lot for a dispersal area. As this parking lot will be under construction in May 1993, Scouts Canada are proposing to enter the forecourt from Jackson Street, beside the Credit Union and use the forecourt as a safe dispersal area.

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Peter Baker, General Manager, Parking Authority
Information Desk
File
bcc: J.J. Schatz, City Clerk
J. Thompson, Manager, Legislative Services

CITY OF HAMILTON
- RECOMMENDATION -

D
(vi)

DATE: 1993 March 26

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: Flying of Greek Flag

RECOMMENDATION:

- (a) That approval be given to the action taken by the City Clerk in authorizing the Greek flag to be flown at City Hall from Wednesday, 1993 March 24 - Sunday, March 28 to commemorate Greek Independence celebrations.
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

As in previous years, the Greek Orthodox community requested that the Greek flag be flown from City Hall to commemorate Greek Independence Day.

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Information Desk
File

CITY OF HAMILTON
- RECOMMENDATION -

D
(vii)

DATE: 1993 March 26

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

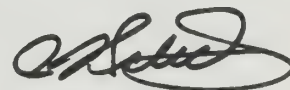
FROM: J. J. Schatz
City Clerk

SUBJECT: Tourette Syndrome Foundation of Canada - Fly Flag

MAR 29 1993

RECOMMENDATION:

- (a) That approval be given to the request of the Tourette Syndrome Foundation of Canada, Hamilton Region Chapter, to fly the Tourette Syndrome Foundation of Canada Flag at City Hall during June, 1993 to commemorate Tourette Syndrome Awareness Month.
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The Hamilton Region Chapter of the National Tourette Syndrome Foundation of Canada will be attempting to promote public awareness, local support, and to raise money for research through the sale of raffle tickets at six malls in Hamilton and Burlington from April 10 - June 05, 1993 and the distribution of literature about Tourette Syndrome. The month of June is to be proclaimed Tourette Syndrome Awareness Month and the Hamilton Region Chapter is requesting that the Tourette Syndrome Foundation of Canada flag be flown at City Hall during the month of May.

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Information Desk
File

CITY OF HAMILTON
- RECOMMENDATION -

D
(viii)

DATE: 1993 March 30

MAR 31 1993

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: Senior Citizens' Council - 1993 Election Nominations

RECOMMENDATION:

- (a) That approval be given to the request of the Culture and Recreation Department to use the first floor foyer at City Hall on Wednesday, 1993 May 12 from 10:00 a.m. - 3:00 p.m. to hold registration for nominations to the Senior Citizens' Council for the City of Hamilton and to display the Senior Council Sign.
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The Department of Culture and Recreation has already received approval to use the first floor foyer on Wednesday, 1993 March 12 to hold registration for the Hamilton Senior Games. This is an annual event.

The Culture and Recreation Department is requesting that the nominations for the Senior Citizens' Council be held at the same time and adjacent to the Hamilton Senior Games registration in order to encourage the participation of seniors in the Council elections.

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Gary Hesson, Manager, Recreation Services, Culture & Recreation Department
Information Desk
File

D (ix)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 30

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

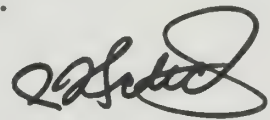
FROM: J. J. Schatz
City Clerk

SUBJECT: Latvian Community - Use of Council Chamber

MAR 31 1993

RECOMMENDATION:

- (a) That approval be given to the request of the Latvian Community Organizing Committee to use the Council Chamber and second floor foyer on Saturday, 1993 November 20 from 10:00 a.m. until 2:00 p.m. to celebrate the 75th Jubilee of Independence Day for Latvia.
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in Account CH55222-10034 - Use of City Hall Facilities and Equipment by Outside Groups, for staff overtime associated with this event in the approximate amount of \$90.00.

BACKGROUND:

This will be a double celebration for the Latvian Community as it will be 45 years since the establishment of a Latvian Community in Hamilton as well as the celebration of the 75th Jubilee of Independence Day for Latvia.

Finance and Administration Committee

Re: Latvian Community - Use of Council Chambers

... 2

The event will consist of brief speeches and perhaps a children's choir. The second floor will be used for a reception and a small display for the showing of an appropriate video film.

**cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Information Desk
File**

CITY OF HAMILTON
- RECOMMENDATION -

E.

DATE: 1993 March 30

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: City's Share of "Rymal Square Estates - Phase 4" -
Financing

RECOMMENDATION:

That the City's share of "Rymal Square Estates - Phase 4" Servicing, at a cost of \$35,989.72, be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The net amount to be financed for all 1993 projects related to subdivision expenditures, including this recommendation, is \$167,996.12. The 1993 Capital Budget includes a provision of \$1,200,000 for the City's share of subdivision expenditures in 1993.

BACKGROUND:

The Transport and Environment Committee will be considering this report at their meeting of 1993, April 5. The details of the project cost is outlined in the letter of Mr. E.M. Gill, Senior Director, Roads Department, dated 1993, March 26.

NRA:jc
Attach

c.c. Mr. E. M. Gill, Senior Director
K. Christenson, Secretary, Transport and Environment Committee
D. W. Vyce, Director of Property

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 26
S718-79 P. Strong

REPORT TO: K. Christenson, Secretary
Transport and Environment Committee

FROM: E. M. Gill, P. Eng.
Senior Director

SUBJECT: 1993 Servicing Expenditures Related to Subdivisions

66

TREASURY	
1993 MAR 30	
ROUTE	REC'D
A.C.R.	✓
I.R.F.	✓
N.R.A.	✓
T.W.L.	✓
T.E.	✓
G.D.	✓
A.N.	✓

For report

RECOMMENDATION:

- a i) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owners for the estimated costs of services in;

" RYMAL SQUARE ESTATES - PHASE 4 ", Hamilton

City's Share \$35,989.72 Subdivider's Share \$294,976.96

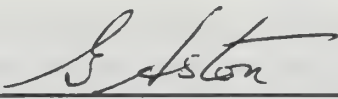

- ii) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owners of "Rymal Square Estates - Phase 4", Hamilton and any other related documents for this Subdivision subject to the approval of the City Solicitor.
- iii) That approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered.
- iv) In the event that the owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered they should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing.

cont'd...

1993 Servicing Expenditures Related to Subdivisions

cont'd...

- b) That the City's share for the costs of services in "Rymal Square Estates - Phase 4" (\$35,989.72) be approved and the Finance and Administration Committee recommend the source of funding for this project.


 E. M. Gill, P. Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

" RYMAL SQUARE ESTATES - PHASE 4 ", HAMILTON

The total estimated costs of the City's share of services to be approved at this time for this development is \$35,989.72.

A portion of the City's share of costs (\$19,799.50) is associated with extra depth asphalt which is to be installed on Acadia Drive and is non-recoverable in the future.

The remaining portion of the City's share (\$16,190.22) is associated with the above ground services being installed adjacent to property currently owned by Ontario Hydro. This portion is recoverable in the future if Ontario Hydro develops their lands.

The estimate for the cost sharing between the City and the owner is in accordance with current City policy. (see Schedule "A")

BACKGROUND:

" RYMAL SQUARE ESTATES - PHASE 4 ", HAMILTON

On January 30, 1990, City Council approved a recommendation to enter into a subdivision agreement between the City and the Owner of Rymal Square Estates, (Rymal Square Developments Inc.).

The development of Phase 4 will result in the creation of 51 single family residential lots and one block for multiple family residential purposes, as townhouses.
cont'd...

1993 Servicing Expenditures Related to Subdivisions


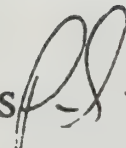
cont'd...

The total estimated costs of the City's share of services to be approved at this time for this development is \$35,989.72. A portion of the City's share of costs (\$19,799.50) is associated with extra depth asphalt which is to be installed on Acadia Drive and is non-recoverable in the future.

The remaining portion of the City's share (\$16,190.22) is associated with the above ground services being installed adjacent to property currently owned by Ontario Hydro. This portion is recoverable in the future if Ontario Hydro ever develops the adjacent lands.

The estimate for the cost sharing between the City and the owner is in accordance with current City policy. (see Schedule "A")

The lands of Phase 4 are located in the Butler Neighbourhood north of Stone Church Road East, between Upper Sherman Avenue and Upper Wentworth Street. (see attached plan)

 
PS

cc: A. C. Ross, City Treasury Department
cc: M. Watson, Real Estate Division, City Property
cc: Susan Reeder, Secretary, Finance and Administration Committee
cc: Councillor D. Ross, Chairman, Finance and Administration Committee T&E/Disc/PS

1993 SUBDIVISION EXPENDITURE SUMMARY

Page 1 of 1

CITY'S SHARE OF EXPENDITURES

Name Of: SUBDIVISION DEVELOPER CONSULTANT SURVEYOR	# OF LOTS AND LOCATION	SUBDIVISION AGREEMENT AUTHORIZATION	DESCRIPTION OF WORKS	0.3 METRE RESERVE COSTS	NON-RECOVERABLE & OVERSIZED COSTS	TOTAL CITY'S SHARE	TOTAL SUBDIVIDER'S SHARE	TOTAL SERVICING COSTS
RYMAL SQUARE ESTATES PHASE 4 Rymal Square Development Inc. Urban Engineering Ltd. W. Bruce Clark, O.L.S. (File No. S718-79)	51 Lots 1 Block Hamilton	City Coun. Jan 30, 1990 P & D 2-90	Catch Basins & Connections Curbs & Sidewalks Finished Roads Dead End Barricade Street Lighting Fencing	\$ 0.00 \$ 3,611.43 \$ 7,127.82 \$ 67.88 \$ 750.00 \$ 4,633.09 \$16,190.22	\$ 0.00 \$ 0.00 \$ 19,799.50 \$ 0.00 \$ 0.00 \$ 0.00 \$ 19,799.50	\$ 0.00 \$ 3,611.43 \$ 26,927.32 \$ 67.88 \$ 750.00 \$ 4,633.09 \$ 35,989.72	\$ 294,976.96	\$ 330,966.68
TOTALS:				<u>\$ 16,190.22</u>	<u>\$ 19,799.50</u>	<u>\$ 35,989.72</u>	<u>\$ 294,976.96</u>	<u>\$ 330,966.68</u>

* OVERSIZING EXPENDITURES are Non-Recoverable
 • 0.30 METRE RESERVE EXPENDITURES are Fully Recoverable

F.

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 2

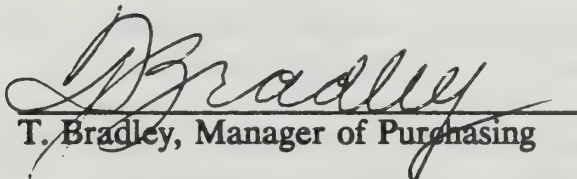
REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. T. Bradley
Manager of Purchasing

SUBJECT: Assignment and Extension of Contract for the Supply
and Maintenance of Tires, Various Departments

RECOMMENDATION:

- a) That the contract, originally awarded to General Tire Canada Inc., for the supply and maintenance of tires for various City Departments, originally approved by Council in June of 1991, be assigned to Jensen & Sons Tire Ltd., Hamilton.
- b) That the City exercise its option to extend the contract with Jensen & Sons Tire Ltd., Hamilton, for one additional one year term.


T. Bradley, Manager of Purchasing

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds in various approved accounts.

BACKGROUND:

We have been advised by General Tire Canada that they have changed their marketing philosophy and have now established local independent tire dealers and have selected Jensen & Sons to be their dealer in the Hamilton. We have obtained all the necessary insurance and performance bonds from Jensen & Sons and are satisfied that they will be able to fulfil their contract obligations.

CITY OF HAMILTON
- RECOMMENDATION -

G.

DATE: 1993 April 2nd

REPORT TO: Alderman D. Ross, Chairperson
and Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary
Finance and Administration Committee

SUBJECT: Information Items

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

- (a) Information Report - Chief Administrative Officer and Fire Chief - Requested Additional Information - Vehicle Replacement 1993 - dated 1993 March 25.
- (b) Information Report - Chief Administrative Officer - Attendance at Day of Mourning Ceremonies by Members of Local 5 - dated 1993 March 29.
- (c) Minutes - Taxi Advisory Committee - meeting held 1993 February 16.
- (d) Information Report - H.S.P.C.A. - Animal Control Legislation - dated 1993 February 15.

7.

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 5

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. Joe Pavelka
Chief Administrative Officer

SUBJECT: The City's Continuing Role in Non-Profit Housing

RECOMMENDATION:

That the Chief Administrative Officer approach the Hamilton Housing Company and the Hamilton Municipal Non-Profit Housing Corporation to determine the feasibility of consolidating the housing activities undertaken by the Hamilton Housing Company and the Hamilton Municipal Non-Profit Housing Corporation with those housing activities carried out in the Building Department.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Attached is an Information Report entitled "The City's Continuing Role in Non-Profit Housing" outlining the City's involvement in the Hamilton Municipal Non-Profit Housing Corporation and the Hamilton Housing Company.

Within the Building Department, there is a section titled Housing Loans, where the staff deal with housing issues such as:

- Residential Rehabilitation Assistance Program
- Ontario Home Renewal Program for the Disabled
- Heritage Loan Programs
- Commercial Facade Loan Programs
- Convert to Rent Program
- Provincial Low Rise Program
- Emergency Loan Program

Finance and Administration Committee
1993 April 5

CONCLUSION

As part of "continuous improvement" or "total quality management" to bring like products and/or services together, consideration should be given to consolidating housing activities in the City that are performed by different departments/divisions into one organization. This could improve services to the public giving a complete package or "one-stop shopping".

Attach.

c.c. L. King, Building Commissioner
M. Mascarenhas, General Manager, Municipal Non-Profit Housing

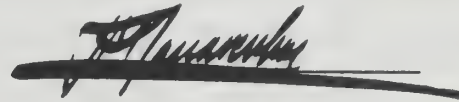
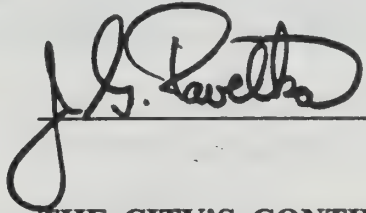
CITY OF HAMILTON
- FOR INFORMATION -

DATE: 1993 April 5

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. Pavelka,
Chief Administrative Officer

Mark Mascarenhas,
General Manager,
Housing Department



SUBJECT: THE CITY'S CONTINUING ROLE IN
NON-PROFIT HOUSING

SUMMARY:

At its meeting of January 21, 1993, the Finance and Administration Committee requested a report on "The City's continuing involvement in non-profit housing". This report attempts to respond to that request, and focuses largely on the Municipal Non-Profit (Hamilton) Housing Corporation (hereinafter referred to as Hamilton MNPHC) which is the City's main vehicle for non-profit housing.

The City of Hamilton is involved in non-profit housing through sponsorship and ownership of two housing corporations. The Hamilton Housing Company Ltd. and Hamilton MNPHC.

In summary, the tangible benefits of this involvement are:

- **Job creation** from direct construction and spin-offs.
- **Housing** for low and moderate income citizens who are less able to compete in the private marketplace for good, suitable, appropriate and decent housing.
- **Revenues** to the City/Region from development charges, building permits, property taxes, and organizational allowances.
- **Redevelopment** of infill lots and neighbourhoods.

1. BACKGROUND ON HAMILTON MNPHC

Hamilton MNPHC was established in 1985 by Hamilton City Council, under Provincial legislation, to provide much needed good affordable housing to Hamiltonians of many different income groups, by utilizing Federal/Provincial funding for municipal non-profits that was available but not being used and that would otherwise be spent in other communities that had municipal non-profits. A staff review at that time indicated that Hamilton was not getting its fair share of housing allocation.

The first Board consisted of Mayor Robert Morrow as President and all 16 members of Council. In 1987, Alderman Don Ross was elected President and subsequently the by-laws were amended to reduce the Board's size and to include a minority of citizen representation. In early 1992, Alderman Bob Charters was elected President. The current Board appointed by Council comprises:

Alderman Bob Charters:	President
Mr. Robert Kronas:	Vice President
Alderman Don Ross:	Past President & Director
Mayor Robert Morrow:	Director
Alderman Dave Wilson:	Director
Alderman Don Drury:	Director
Alderman Terry Anderson:	Director
Alderman Frank D'Amico:	Director
Ms. Susan Andrews:	Director
Ms. Sharon Dale Charters:	Director
Mr. Marc Guizzo:	Director
Ms. Nancie Mleczko:	Director
Mr. Gary Molinaro:	Director

Under the capable leadership of these Presidents and with the contribution of elected officials and citizens, past and present, Hamilton MNPHC has grown in difficult times to currently owning and operating **359** housing units in nine projects, with book value assets at the end of 1992 of **\$ 26.5 million** and an annual operating budget of **\$ 4.5 million**. Two major projects (Oakwood Mews 64 units, Cumberland Gage 152 units) totalling 216 units with funded Capital budgets of **\$ 24 million** are in the construction phase. Another 2 projects (101 Broadway 45 units and 10 Brock St. 10 units) with a capital value of **\$ 4.9 million** are expected for construction start by the middle of summer of 1993. The construction activity for 1993 alone will create an estimated **300** direct and spin-off jobs.

2. **WHICH MUNICIPALITIES HAVE MNPHC's?**

There are many municipalities, small and big, in Ontario that have Municipal Non Profits taking advantage of Federal and Provincial funding to improve their housing situation and create jobs. Some of these are as follows:

Hamilton, Ottawa, Kitchener, Toronto, Glanbrook, Dundas, Stoney Creek, Ancaster, Cambridge, Simcoe, Waterloo, Halton, Peel, Ajax, Durham, Windsor, Guelph, Gravenhurst, Lindsay, Owen Sound, Vaughan, York, Belleville, Cornwall, Kingston, Nepean, North Bay, Thunder Bay, Brantford, Dunnville, Niagara Falls.

3. **HOW ARE MNPHC's FUNDED?**

Capital funding: Through mortgages of 100% of Capital Cost, guaranteed by the Province and insured by Canada Mortgage and Housing Corporation.

Operating: Annual operating subsidies to bridge the difference between the costs to operate (mortgage, taxes, maintenance, administration) and the market rents, and a further subsidy to provide additional assistance below market rents to tenants qualifying for Rent-Geared-To-Income subsidy (RGI).

The cost of administering the MNPHCS' is recoverable from a 2% allowance in the Capital budget and up to a maximum of 6% of the operating budgets.

4. **REVENUES TO CITY/REGION:**

Hamilton MNPHC housing activity yields tangible financial benefits to the Municipality. Below is a summary of revenue generation:

	<u>Development Charges</u>	<u>Building Permit Revenues</u>	<u>Annual Prop. Taxes</u>
1. Projects built & occupied	\$ 540,878	\$ 188,672	\$ 845,701
2. Projects to commence construction early 1993.	\$ 1,024,686	\$ 112,726	\$ 406,400
3. Projects to commence construction mid 1993.	<u>\$ 214,740</u>	<u>\$ 30,710</u>	<u>\$ 143,000</u>
Total by year end 1993	<u>\$ 1,780,304</u>	<u>\$ 352,108</u>	<u>\$1,395,101</u>

5. NEED FOR NON PROFIT HOUSING:

A plethora of Federal, Provincial and Municipal research studies have well documented the need for safe, suitable, adequate, and affordable rental housing.

Specifically, the Municipal Housing Statement (1992) indicates that 2,765 families are in urgent need of rent-related-to-income housing units. CMHC housing analysis and research indicates that many families and especially singles, are "doubling up" in these recessionary times. A recent study by Regional Social Services shows that 72% of G.W.A. clients are singles who do not live in assisted housing and who then require a component of Regional subsidy for a housing allowance. Demographic studies conclude a growing increase in the seniors population, especially on Hamilton Mountain, requiring a future need for seniors housing projects.

6. RECORD OF HAMILTON MNPHC

6.1 PROJECTS UNDER OCCUPANCY

	<u>Units</u>	<u>Location/Type</u>
1)	47	772 Upper Paradise, Townhouses
2)	70	470 Stonechurch, Townhouses
3)	65	580 Limeridge, Townhouses
4)	10	Ashley/Century Sts., Townhouses
5)	66	1150 Limeridge, Townhouses
6)	18	1781 King, Apts
7)	40	75 Wentworth St. Apts.
8)	20	67 Ossington Townhouses
9)	<u>23</u>	1081 Rymal Rd., Townhouses
	359	

6.2 PROJECTS TO COMMENCE CONSTRUCTION (First Half of 1993)

64 units:	Oakwood Mews, 25 Towercrest Drive, Townhouses
152 units:	Cumberland Gage, 430 Cumberland Ave., Apartments

6.3 PROJECTS TO COMMENCE CONSTRUCTION (Second Half of 1993)

45 units:	101 Broadway, Apartments
10 units:	10 Brock St., Townhouses

6.4 PROJECTS PROPOSED FOR ALLOCATION

1100 Limeridge: 57 units for Seniors, Apartments
1285 Upper Gage: 14 Townhouses

6.5 PROJECTS IN INVESTIGATION, NEGOTIATION, EVALUATION, FEASIBILITY AND DEVELOPMENT PHASE

King William & Mary St.	146 units, Joint-Venture with Hamilton Parking Authority.
Village View, 260-280 King St.	127 units, Commercial/Residential building (Ammendolia)
CN Rail site, Barton & Ferguson	55 townhouses
St. Andrews Church, Barton/Smith	30 apartments
Main St. West (near Sheridan)	143 apartments. Possible venture with Vila Polonia
Napier/Caroline	38 Apartments
Barton St. B.I.A.	scattered residential/commercial buildings.
Hamilton Beach Neighbourhood	undetermined

7. ADMINISTRATIVE STRUCTURE

7.1 **Board:** The Boards of Directors of Hamilton MNPHC and the Hamilton Housing Company are appointed by City Council for three year terms. The Boards meet at the call of the Presidents. The Boards set policies and approve capital and operating budgets, approve new projects, and provide direction to staff.

7.2 **Administration:** The business affairs of the Corporation are undertaken by City staff whose costs are "charged back" to Hamilton MNPHC and Hamilton Housing Company. Staff work is co-ordinated by the General Manager of Housing who reports functionally to the Boards and administratively to the Chief Administrative Officer.

The General Manager utilizes services from other City departments and outside service providers and consultants on an "as and when needed" basis. The costs of these are "charged back" to Hamilton MNPHC. Legal services are provided by Mr. Paul Paradis of Ross & McBride, architectural design and contract administration services are obtained from Architects who are retained on a specific project basis. Auditing services are obtained from the City's auditor McGillivray Partners, and secretarial services for Board meetings are provided by the City Clerks Department.

Reporting to the General Manager are two Housing Co-ordinators - Ms. Janet Surmanski and George Gambioli, who are fully employed in all facets of the projects, from project development through to housing administration and tenant issues.

Financial administration services are provided by Mr. Joe Spiler, Certified Management Accountant, who is on loan from Treasury and whose cost is recovered by Treasury.

Finally, Secretarial/Clerical services are provided by Mrs. Pat Harper, who has done same since 1986.

The current administrative structure of an autonomous Housing department serving the interests of both Hamilton MNPHC and the City of Hamilton is very cost effective. The structure allows for accountability, empowerment, a small team approach to business and some flexibility necessary to undertake the unique and varied tasks required by the Boards and the Housing programs.

However, as part of a process of "continuous improvement", "total quality management" and bringing together like products/services, consideration should be given to consolidating housing activities in the City that are performed by different departments or divisions. This could improve services to the public, giving them one "full service package" or a "one-stop-shop". A review of the value of this consolidation is suggested. A spin-off of consolidation is that overall staff numbers could reduce and remaining staff will have the opportunity of dealing with more of a variety of issues and programs.

- 7.3 Leasing and Maintenance Functions:** The leasing and maintenance duties for the projects under occupancy are cost effectively "externally functionalized" or contracted out to property management firms. A recent proposal call resulted in two more firms providing services, in addition to Hamilton East Kiwanis, yielding lower overall costs and improved service.

The following firms have contracts for leasing and maintenance:

Hamilton East Kiwanis Non Profit Homes Inc.:	Wentworth St.School Manor, Bartonville School Manor, and Ada Pritchard/Macassa Park Apts. (Hamilton Housing Company)
Fengate Real Estate (Louis Serafini)	470 Stonechurch, 580 Limeridge, 1150 Limeridge, 67 Ossington 1081 Rymal Rd.
Property Management Guild (Peter Webb)	772 Upper Paradise.

**8. Does Hamilton MNPHC Have a Role to Play
When There are Other Non Profit Providers in the City?**

- 8.1** The proposed new Provincial allocation model gears 35% of the allocation to Municipal Non Profit Housing Corporations. Hamilton would likely receive less units if there was no MNPHC.
- 8.2** The City, through its MNPHC, can also influence the income mix (targeting) in non-profit projects to prevent ghettoization. The average income mix of Hamilton MNPHC projects indicates a stronger component of market units versus "core need" or subsidized units compared to other providers. A survey of local non-profit housing organizations has revealed that their targeting to the "core need" or subsidized category ranges from 75% right up to 100%, thus negating the income integration goal of non-profit housing. Hamilton MNPHC's average core need target is currently 48%
- 8.3** Hamilton MNPHC can address the City's goal of intensification in the downtown area through infill, conversion and new projects. An example of built projects that would never have happened without a MNPHC are Wentworth St.School and 1781 King St.E (Bartonville School). On the other hand, because of resource restraints, private non profit providers tend to sponsor developments that can be accomplished quickly rather than concentrating on those that take more time but that are more suited to the overall goals and needs of the City.

8.4 Housing Planning Coordination

Essentially, private non-profit projects operate independently and even competitively with each other as they vie for scarce unit allocations. There is no coordination of waiting lists or attempts to determine specific needs of the community.

A Municipal Non-Profit Corporation provides a measure of control over various aspects of housing construction and management that can only be achieved through a corporation owned by the municipality. This control can be exercised in a number of areas:

- fit between broader housing policy objectives and specific developments, including design, infilling and neighbourhood fit, protection of existing stock, innovations in form or combination of uses, concentration on specific locations, such as Barton Street or the downtown;
- direct encouragement of private renovation and redevelopment in selected areas;
- promotion of residential use of non-residential lands, especially those in public ownership over which only the municipality can have any influence;

- elimination of non-conforming land uses;
- direct facilitation of mixed-use development and creation of public amenities in conjunction with non-profit projects;
- demonstration projects for infilling or energy efficient housing;
- focus on special needs and client groups not served by the private sector or other social housing agencies.
- coordination of the delivery of support services to tenants having special needs;
- direct encouragement of tenant involvement.

In addition, the staff of municipal non-profit housing corporation become housing experts to the municipality with the ability to provide advice and recommendations on a wide range of housing issues, that would not otherwise be available.

9. HAMILTON HOUSING COMPANY LIMITED

This company was established by the City of Hamilton in 1955 to build and operate the Ada Pritchard and Macassa Park Apartments (61 units) for senior citizens under the Federal Limited Dividend Programme. The apartments are located at Macassa Avenue and Upper Sherman Avenue adjacent to the Home For the Aged known as Macassa Lodge.

The Board of the Company comprises:

Alderman Tom Jackson:	President
Alderman Bob Charters:	Director
Ms. Berta Walton:	Vice-President
Ms. Doreen Jones:	Director
Ms. Vern Fulton:	Director

The Limited Dividend Programme provided low interest mortgages from Canada Mortgage and Housing Corporation on the basis that the projects charge "economic rents" that are in effect below market rates. However, in the past the City has had to make financial contributions, both capital and current, to keep the rents low. The current rent is \$337 per month for a one-bedroom apartment.

In order to keep rents affordable but at the same time not call upon City contributions, staff have recently successfully negotiated a rent supplement agreement with the Ontario and Federal Governments. This means that while rents will be increased to equate with operating costs in the future, those tenants who qualify will be able to get their rent reduced through the rent supplement program.

A Condition Survey of these aging buildings completed in 1992 reveals that the Housing Company will have to spend close to \$ 1,339,000 in capital funds to refurbish the buildings. While this has been included in the City's ten year capital budget, staff must explore some alternatives to funding.

10. STAFF CONCLUSION

Through its eight year history, Hamilton MNPHC has evolved from its initial embryonic form to a Corporation with real asset values of at least one and a half times book values. These assets were acquired without any municipal subsidies and are administered at no cost to the Municipality. These assets also provide safe, good, and affordable housing to citizens of Hamilton without regard to ethnic, religious, political, or "special interest" affiliations.

The creation of these housing assets and the provision of housing have generated a great deal of construction and spin-off jobs in the local community which otherwise would not have been created.

In a number of the projects, like Wentworth St. School and Bartonville School Manor, the housing created has served to convert stagnant land use, utilize hard and soft municipal services more efficiently, and improve neighbourhoods.

With the Federal withdrawal from Housing, and a greater Provincial emphasis on decentralization, empowerment of the non-profit sector, intensification, and cost effectiveness, Municipal Non-Profits, like Hamilton MNPHC, are increasingly looked at by policy and decision makers as being accountable, responsible, and capable developers of housing and recipients of Government funding. As such, while the general level of funding to the not-for-profit sector in future years may diminish because of cost restraints, the level of funding to municipal non-profits, like Hamilton MNPHC, as a percentage of total funding is likely to increase.

8.

CITY OF HAMILTON
- RECOMMENDATION -

APR 2 1993

DATE: 1993 April 2

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: Policy on the Acquisition and Display of Plaques,
Posters, Memorabilia and Awards in City Hall

RECOMMENDATION:

That the policy on the acquisition and display of plaques, posters, memorabilia and awards in City Hall, attached hereto, be approved.


for D. W. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendation.

BACKGROUND:

The Finance and Administration Committee has noted that an increasing number of plaques, posters, memorabilia and awards (hereinafter referred to as "memorabilia") are being offered to the City for permanent/temporary display, and has discussed the best approach to receiving the "memorabilia" and suitably displaying it in City Hall. The Committee recognizes that requests for wall/floor space in the building cannot all be accommodated at any one time, and while the Committee wishes to provide some display space, it also desires to maintain the aesthetic integrity of the building.

A formal policy with respect to the display of "memorabilia" has been lacking. Recently a formal policy with respect to Art in Public Places was adopted by Council. This deals with fine art, and specifically excludes "memorabilia".

April 2, 1993

Finance and Administration Committee

Page 2

The policy, attached hereto, outlines policy objectives, existing conditions, a proposed administrative system for handling requests, criteria used to evaluate the request and siting areas. Appendix "B" provides a current inventory of "memorabilia" located in the public areas of the first and second floors of City Hall.

DWV/dcr

attch.

c.c. R. Sugden, Director of Culture & Recreation
P. Noé Johnson, City Solicitor
J. J. Schatz, City Clerk
R. Swan, Manager, Building Operations & Maintenance

POLICY ON THE ACQUISITION AND DISPLAY OF PLAQUES, POSTERS, MEMORABILIA AND AWARDS IN CITY HALL

March, 1993

1. Objectives of New Policy

- a) To provide guidelines for the acceptance or rejection of a request by individuals or groups to donate plaques, posters, memorabilia or awards (hereinafter called "memorabilia") to The Corporation of the City of Hamilton for display in the public areas of City Hall.
- b) To provide limited opportunities for citizens to express their pride in the City through displays of "memorabilia" in City Hall.
- c) To maintain the design integrity of the building's creator, S. M. Roscoe, Architect.
- d) To maintain the physical structure and condition of the building's various elements in good order.
- e) To provide a central administration location for business of The Corporation of the City of Hamilton which demonstrates pride, a sense of purpose and welcome.

Note:

The objective of this policy is to deal with awards, memorabilia, posters or plaques proposed for display in City Hall which was specifically excluded in the Art in Public Places policy adopted by City Council on November 10, 1992. The Arts in Public Places policy addresses the placement of public art (fine art pieces only) within public accessible areas of all municipal property.

2. Existing Conditions

Preamble

In the interior public spaces of Hamilton City Hall, designed by S.M. Roscoe, materials used for walls and support structures are limited to wood, marble, metal and glass. Each element is designed to make the most of its own aesthetic qualities and to contribute a further dimension of harmony and beauty to the other materials. The use of decorative inlaid mosaic tiles is a treatment continued throughout the building, on both interior and exterior surfaces. Wood elements are finely finished and matched and bring warmth to the combination of harder surfaces. The decorative finishes of the building's interior are complemented by custom wall murals at the entrance to the elevator banks on the second floor. However, it may be problematic to introduce new wall treatments in the form of two dimensional artworks unless a suitable arrangement for hanging pieces is designed - one which would not place any stress on the walls.

The interior of City Hall contains a variety of objects on display, many of which have been gifted to the City. Visitors and employees will often see tours of school children being conducted through the first and second floor lobbies while a guide explains the significance of wall murals and historic furniture.

Over the past thirty years, a number of elements have gradually been introduced to the two main lobbies. It is now time to examine the general appearance of these important public spaces and to re-evaluate their finest use. These areas on the first and second floors are the ones which give our visitors their first impressions as they advance through the space and up the staircase to the grand Council Chamber.

Rather than disperse a variety of elements randomly through the spaces, one approach is to designate specific areas for specific uses. For instance, the panelled walls leading to the glass doors of the Council Chambers have traditionally been the backdrop for photographs of elected officials. These walls could logically and comfortably continue to provide a setting for the historical pictorial record.

Large name plaques for particular awards series are mounted on other walls on the second floor.

Trophy and glass and wood display cases are situated at various locations. A permanent display of Ukrainian folk art has been sited on the first floor for many years.

The Mundialization Committee frequently makes use of other display areas to showcase pieces of interest from Hamilton's sister cities.

At the same time, civic groups routinely make use of the floor space on the first and second floors for temporary displays.

Over the Christmas season, seasonal displays are created on the second floor with a large tree and mechanical carollers. Permission is also given for the temporary painting of Christmas-related scenes on the glass doors by a local sign painter. With the addition of special lighting elements outdoors, a large variety of seasonal decorations are introduced.

Public Display Areas

The public display areas such as the foyers on the first and second floors, the lobbies, hallways and public meeting rooms within City Hall are generally thought of as being the publicly accessible spaces of the building. With the exception of the hallways and lobbies on each floor of the building, these public display areas are confined to the first and second floors of City Hall. Attached hereto as Appendix "A" are floor plans of the first and second floor of City Hall with the publicly accessible areas shown in heavy outline. The space includes meeting rooms 219, 233 and 264.

Inventory of Works on Display

A current inventory of memorabilia, plaques, posters, memorabilia, awards and art on display in the publicly accessible areas of the first and second floor of City Hall is listed on Appendix "B" annexed to this report.

Current Method of Processing Requests

The Finance and Administration Committee has traditionally reviewed donation proposals received by the office of the City Clerk. Donations have in the past been accepted on the terms suggested by the donor and on an ad-hoc basis. The City has in its inventory a wide range of visual artworks, ethnic crafts, plaques, awards and memorabilia. The Finance and Administration Committee has noted that an increasing number of "memorabilia" are being offered to the City for permanent/temporary display and has discussed the best approach to receiving the "memorabilia" and suitably displaying it in City Hall.

3. Administration

Recommendations

- a) That the co-ordinating staff function associated with the display of "memorabilia" in City Hall be established within the Property Department.
- b) That the Property Department co-ordinate the placement of "memorabilia" in City Hall with the Department of Culture and Recreation who has the co-ordinating staff function associated with a public art programme and Arts in Public Places Policy.
- c) That a piece of "memorabilia" not be accepted if there is any question as to its legal title, if ownership of the "memorabilia" by the City could be deemed to be objectionable to the Hamilton community, or if it is of such a nature that it cannot be properly cared for by the City.
- d) That the cost of any replacement "memorabilia" as a result of vandalism or theft, shall be the responsibility of the person or organization making the original donation.

Background

The Corporation of the City of Hamilton shall be responsible for establishing and amending all policies relative to the acceptance or rejection of "memorabilia" proposed for display in City Hall. Having regards to the functions, purposes and objects of the City, the City reserves and maintains the rights to refuse to accept any "memorabilia" considered by it to be inappropriate and/or unsuitable to or for the City Hall environment and/or the public served by the City.

Reasons for refusal could include:

- (i) lack of relevance
- (ii) lack of adequate storage/display space
- (iii) duplication
- (iv) poor condition
- (v) objectionable to community standards

4. Donations of "Memorabilia"

Recommendations

- a) That individuals or groups intending to make a donation of "memorabilia" to the City of Hamilton for display in City Hall shall communicate that desire in writing to the City, through the Director of Property, providing:
- (i) reasons for the request to display the "memorabilia" in City Hall and identifying the impact and importance of significant contributions made to the overall growth and development of the City of Hamilton by the individual or group making a donation;
 - (ii) a full description of the "memorabilia" which is being proposed for donation and display in City Hall including any wording contained on the item of donation;
 - (iii) a photograph of the item or the item itself to be donated, if available at the time of submission;
 - (iv) any donor conditions or restrictions;
 - (v) any specific maintenance or display requirements.
- b) That the Director of Property be requested to review all requests using the following criteria:
- (i) the professional quality of the "memorabilia";
 - (ii) the absence of any donor conditions or restrictions;
 - (iii) the suitability of materials and affects on the aesthetics of City Hall;
 - (iv) maintenance requirements;
 - (v) availability of a suitable site for display/installation;
 - (vi) any wording contained on a piece of memorabilia;
 - (vii) the appropriateness for display in the City Hall environment;
 - (viii) the history/importance of the donating group or individual.
- c) That the Director of Property then forward a recommendation to the Finance and Administration Committee and Council.

5. Siting/Installation of "Memorabilia"

Recommendations

- a) That any instance of siting/installation of "memorabilia" be confined to the public areas on the first and second floors of City Hall as shown on Appendix "A" with the exception of the panelled walls leading to the glass doors of the Council Chamber, which shall be reserved solely to provide a setting for the historical pictorial record of the City of Hamilton and its elected officials.
- b) That the City consider any specific siting request of the donator; however, it remains the final decision on the siting of "memorabilia", the right to relocate or remove a piece, and the duration of placement shall be at the sole discretion of the City.

Background

City Hall cannot accommodate on a permanent basis, every piece of art, awards, memorabilia or poster offered to it for display. There is simply insufficient, appropriate wall or floor space within the building; furthermore, the main purpose behind the building and its significance must be maintained.

"Memorabilia" cannot be sited/installed with any guarantee of permanent placement. The City shall always have the right at its sole discretion to relocate or remove a piece of "memorabilia". In the event a piece of "memorabilia" is to be removed, a reasonable attempt will be made to notify the donor and offer its return. If its return is denied, the City shall either place the item in its archives for future reference or display, site the "memorabilia" in another City building or dispose of same. Reasons for de-accessioning or disposal of "memorabilia" may include condition, relevance or status, duplication, lack of storage and display space.

**INVENTORY OF WORKS ON DISPLAY IN PUBLICLY ACCESSIBLE SPACE OF CITY HALL
March, 1993**

First Floor

East Entry - Commemorative plaque: construction of old city hall
 East Entry - Commemorative plaque: In Memory of those who served in Old Wars
 trophy cases (outside Property Dept. doors)
 Brd. of Ed. Co-op Education plaques and mural
 Children's Museum - baffle
 Hamilton Wentworth Composting Facility model (under stairwell)
 Display case (between Community Development & Treasury) - Museum Display
 Ukrainian Display Case
 dolls, pottery, coloured Easter eggs
 plaque: Ukrainian Heritage - Wintario project
 William Sherring plaque (outside Treasury)
 Chairman's desk and chairs (outside Treasury)

Second Floor

(outside Council Chambers)

"Great Canadian Participation Challenge" - May 28/85 - 12"x 9"
 "Special Citation for Pedestrian Program Activities" - 1962 - 9"x 12"
 "Special Citation for Pedestrian Program Activities" - 1963 - 9"x 12"
 Display case: Names and photographs of former mayors
 "Pedestrian Program Appraisal" - 1959 - 9" x 12"

(pillar facing Council Chambers)

"Declaration of Mundialization & Twinning"
 (Hamilton & Fukuyama) - Oct. 4, 1976 - 24" x 19"

(opposite side of pillar facing stairwell)

"Commerce Prudence Industry" (c/w 3 seals) - 24" x 24"

(outside Clerk's Office)

Hamilton Status of Women Sub-Committee
 "Woman of the Year" - 1975-1991 - 12" x 24"

Ukrainian Canadian Committee

 (commemorating 50th Anniversary of the famine-genocide in Ukraine
 1932-33) - 12" x 24"

Plaque in memory of 1,000,000 Baltic Citizens deported to slave camps
 during the Soviet Occupation following the Stalin-Hitler Pact 1939 -
 24" x 12"

Hamilton Arts Council Plaque

(opposite wall outside Clerk's Office)

Flag in glass case
 plaque - Squadron Standard - 424 Squadron - Sept. 15/85 - 12" x 24"

(inside Clerk's Office - wall opposite Mayor's office)

Display case - width: 3' height: 6'

Japanese doll, and clock from Fukuyama - Sept. 22/81

2 Table Display Cases - width: 3' height: 3.5'

containing plaques, medals, china, sterling silver ashtrays, photographs, "Strathcona" book

Display Case - width: 6' height: 6'

containing plaque (Declaration of Twinning), photographs, dolls, flags, china

(Room 219)

end wall mural

artwork "Chasing a Dream" by Candance J. Malott

(Room 233)

end wall mural

(1) painting by R. Schyll

(2) paintings by F. C. Millson

(Room 264)

(1) painting by J. Devallano

ALL SIZES NOTED ARE APPROXIMATE.



SECOND LEVEL FLOOR PLAN





FIRST LEVEL FLOOR PLAN



9.

CITY OF HAMILTON
- RECOMMENDATION -

DATE: March 22, 1993

REPORT TO: Susan Reeder, Secretary
Finance and Administration Committee

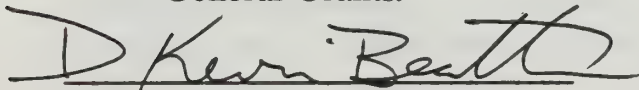
FROM: D. Kevin Beattie
Grants Co-Ordinator

SUBJECT: GRANTS GRANDFATHER TASK FORCE

RECOMMENDATION:

The Grants Grandfather Task Force has met and respectfully recommends:

- a) that to ensure all Grant applicants do not become dependent on City of Hamilton funding and allow new groups to receive funding, the Grant Policy be amended to reflect the following Sunset grant classification as outlined on Exhibit 1;
- b) that this classification be assigned to the successful 1993 Grant recipients by the Committee of the Whole during their deliberations on March 26, 1993 of the 1993 General Grants;
- c) that all general grant applicants be made aware of and encouraged to use alternative sources of funding, either through the use of Lottery Schemes (eg. Nevada Break-open tickets, Bingo), or requesting funds from local Service Clubs, Foundations, private donations and other levels of Government, in addition to the applicants normal revenue raising activities;
- d) that these recommendations be forwarded to the Committee of the Whole meeting March 26, 1993 for their consideration as part of the deliberations for the 1993 General Grants.


D.K. Beattie, Grants Co-ordinator

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The above recommendations would not have any overall affect on the 1993 Grants budget in total, however through the use of the proposed classifications, more applicants might be able to receive grant funds in future years.

Susan Reeder, Secretary
Finance and Administration Committee
March 22, 1993 - Page 2

BACKGROUND:

At the January 23, 1992 meeting of the Finance and Administration Committee meeting during a review of the General Grants, the committee approved the recommendation of establishing a special Committee to review the possibility of implementing a "Grandfather clause" policy for grants to all organizations.

The Grants Grandfather Task Force (Alderman B. Charters, Alderman F. Eisenberger, and Alderman T. Anderson) has met several times to address the issue of Grandfathering grant organizations. The task force reviewed the alternative sources of funding available to the organizations including the various Lottery Schemes (which are licensed by the City of Hamilton), and the use of Foundations (eg. Hamilton Foundation) and Service Clubs (eg. Sertoma, Lions, Legions, Rotary). It was noted that recent changes with respect to the Nevada Break-open Tickets and point-of-sale location and other administrative features will allow a greater opportunity for more qualified organizations to participate in this scheme. Also noted that Bingo requires a greater degree of administrative and organizational functions to operate. In terms of other alternate funding sources such as requesting funds from Foundations and/or Service Clubs, funds, on a limited basis, are available. Specific requirements and procedures apply to each source of funds, however in general non-profit and charitable organizations could use these alternative funding sources. The Task Force concluded that all grant applicants should be encouraged to use these alternative funding sources (Lottery, Foundations and Service Clubs) and at least be made aware of them. These sources could improve the financial viability of the organizations.

In developing the Sunset classification as outlined on Exhibit 1, the Task Force recognized the benefits that the organizations receive via the City Grant funds and more importantly the benefits that the organizations provide to the City of Hamilton. The stated objective is to facilitate the demands for Grant Funds and allow as much as possible the opportunity for new organizations to receive Grant funds. This objective can be met using the basic principle that all organizations are to be phased out over a maximum five year period. This classification is to be used as an indication of possible future funding. The Grant Policy states that "the Granting of assistance in any one year is not to be interpreted as a commitment to future years' funding. The classification should be assigned to all successful grant recipients of the 1993 General Grants when these are determined by the Committee of the Whole meeting this Friday, March 26, 1993.

DKB/dkb

Att'd

C.C. Alderman B. Charters
Alderman F. Eisenberger
Alderman T. Anderson
Grants Process Group

GRANTS GRANDFATHER TASK FORCE

GENERAL GRANT CLASSIFICATIONS

OBJECTIVE

TO ENSURE THAT THE LIMITED CITY OF HAMILTON GRANT FUNDS AVAILABLE TO QUALIFIED GRANT ORGANIZATIONS BE ALLOCATED IN SUCH A MANNER TO ENSURE THAT NEW QUALIFIED ORGANIZATIONS HAVE AN OPPORTUNITY TO RECEIVE FUNDING AND ALL ORGANIZATIONS ARE ENCOURAGED TO DEVELOP AND EXPLORE ALTERNATIVE SOURCES OF FUNDING.

PRINCIPLE

ALL GRANT ORGANIZATIONS ARE CONSIDERED TO BE PHASED-OUT OR SUNSET OVER A MAXIMUM OF FIVE YEARS OF FUNDING.

CITY OF HAMILTON
- RECOMMENDATION -

10.(a.)

DATE: 1993 April 5

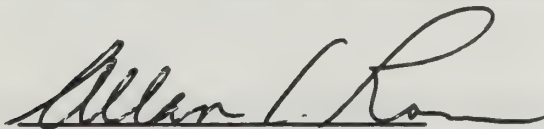
REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: 1993 REQUESTS FOR ALLOCATION OF SUBSIDY MONIES
UNDER THE PUBLIC TRANSPORTATION AND HIGHWAY
IMPROVEMENT ACT

RECOMMENDATION:

- (a) That the Treasurer be authorized to make application to the Minister of Transportation for the City of Hamilton 1993 Normal and Supplementary Requests for Subsidy Monies under the Public Transportation and Highway Improvement Act based on the estimated maintenance and construction expenditures (both total and eligible) as contained in the 1993 Current and Capital Budgets as indicated on the attached Schedule "A";
- (b) That the Treasurer be authorized to petition the Minister for subsidy payments as necessary;
- (c) That the Treasurer be authorized to monitor expenditures and incur only minimal 100% dollars to obtain maximum subsidy dollars in the event that a Supplementary Application is not approved.


Allan C. Ross, Treasurer

1993, April 5

Miss Susan K. Reeder, Secretary
Finance and Administration Committee - continued 2

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

As indicated in a letter dated February 24, 1993 to Mayor Bob Morrow from J. K. Robinson, District Engineer, Ministry of Transportation, the Ministry has provided the City of Hamilton with a 1993 Normal Subsidy Allocation of \$6,609,700. This subsidy allocation will support an estimated total expenditure of \$17,899,460 of which an estimated \$13,219,400 will be eligible for subsidy.

A Request for a Supplementary Subsidy Allocation is necessary for an estimated total expenditure of \$2,056,460 of which an estimated \$1,053,730 will be eligible for subsidy or \$526,885 estimated subsidy dollars. Expenditures dollars will be curtailed by the Treasurer to avoid spending 100% dollars as part of the Normal or Supplementary Allocation approvals.

BACKGROUND:

Each year the Minister of Transportation provides a Normal Subsidy Allocation to the City for roadway maintenance and construction expenditures. This allocation is based on a 50% subsidy rate of eligible expenditures as determined by road needs studies and the availability of Provincial funds. Any expenditures in excess of the Normal Allocation must be the subject of a Supplementary Application, which if approved, will maintain the 50% subsidy base. If the Supplementary Application is not approved by the Minister, the municipality must bear 100% dollars if the expenditures are incurred, or the effective rate of subsidy approved as the Normal Allocation will be reduced to less than 50%.

For your information, in 1992 the Normal Subsidy Allocation approved for the City was \$7,160,300. Eligible construction and maintenance expenditures incurred in 1992 were sufficient to realize \$6,247,350 in subsidy, or a shortfall of \$912,950 subsidy dollars.

Upon examination of 1992 expenditures, this shortfall can be attributed to the extremely low eligibility of the 1992 Reconstruction Program due to the types of works constructed; i. e.: sidewalks, streetlighting, etc. Staff are reviewing the 1993 maintenance and construction estimates for eligibility in an attempt to maximize the receipt of subsidy dollars in 1993.

It is worthy to note that the Approved 1993 Normal Application has decreased from the 1992 by an amount of \$550,600 or 7.7%.

/rdu
encl.

City of Hamilton
Treasury

File: 93N&SAPP

The Public Transportation and Highway Improvement Act
1993 Request for Allocation of Subsidy Monies

Detail of Expenditure (1)	Estimated		
	Total Expenditure (2)	Eligible Expenditure (3)	Subsidy Dollars (4)

Normal Application			

Maintenance	10,417,360	9,341,130	4,670,565
Construction	7,482,100	3,878,270	1,939,135
	-----	-----	-----
	17,899,460	13,219,400	6,609,700
	-----	-----	-----
Supplementary Application			

Construction	2,056,460 *	1,053,730	526,865
	-----	-----	-----
Total Applications	19,955,920	14,273,130	7,136,565
	=====	=====	=====

* These expenditures will not be incurred until a
Supplementary Application is approved by the Minister.

10. (b.)

CITY OF HAMILTON
- INFORMATION -

DATE: 1993 April 2

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Proposed Disentanglement Agreement between the
Province of Ontario and the Association of
Municipalities of Ontario (AMO)

BACKGROUND:

Introduction:

You may be aware that the Province of Ontario and the Association of Municipalities of Ontario (AMO), who represent the municipal governments, are considering a financial and operational agreement as follows, as the first stage of the proposed disentanglement, without adversely affecting financially either the Province or municipalities.

Disentanglement Agreement: Province Wide Scenario
(\$ millions)

Costs being transferred from municipalities to the Province:

Municipalities' 20% funding of General Welfare Allowances, at a negotiated value	<u>\$340 M</u>
--	----------------

Costs being transferred from the Province to municipalities:

Property assessment service	\$135 M
Responsibility of certain highways actually serving primarily local traffic	\$ 40 M
Reduction in provincial unconditional grants to municipalities	<u>\$165 M</u>
	<u>\$340 M</u>

Introduction - Continued

The City portion of the service or mill rate would not be directly effected if this reallocation were to occur, as GWA is a Regional responsibility and all costs being transferred to municipalities would be assessed at the Regional level. The Regional portion of services and costs need to be readjusted and revised, if the agreement is accepted by the AMO and the Province. The agreement, if approved, would proceed for implementation on January 1, 1994. The Regional Municipality of Hamilton-Wentworth is preparing a briefing on behalf of the Region. This letter serves to advise the Finance and Administration Committee and Council of the proposed disentanglement agreement at this time.

Purpose:

Disentanglement is the process of changing and clarifying provincial and municipal roles and responsibilities in providing services to the public. The goal of Disentanglement is to define roles which give each level of government clear responsibility and accountability for specific functions and the authority and resources to perform these roles.

Disentanglement Agreement Summary The Regional Municipality of Hamilton-Wentworth

Costs being transferred from the Region to the Province:

The Region's 20% funding of General Welfare Allowances, estimated at	<u>\$20,079,600</u>
--	---------------------

Costs being transferred from the Province to the Region:

Property assessment service - Regional Cost	\$ 5,093,500
Responsibility of Highway Nos. 2, 53 and 8 actually serving primarily local traffic	\$ 1,099,500
Reduction in provincial unconditional grants to the Region	<u>\$13,886,500</u>
	<u>\$20,079,600</u>

General Welfare Allowance:

Municipalities have argued for many years that the welfare allowances should not be funded from the property tax base and should be considered for funding from more progressive taxation sources, such as income tax. The proposed change would help to achieve the above-mentioned goals, although there is significant controversy in regards to the timing of the implementation, cost allocation, etc. Council should be aware that the proposed agreement would see GWA benefits transferred back to the Province at a time when caseloads and expenditures are high. The negotiated transfer value of GWA province-wide

General Welfare Allowance - Continued

of \$340 million is approximately equal to total GWA costs based on each municipality's share of the 1992 GWA actual costs. If in future, spending to support welfare in general decline, the Province will reap the benefit of the lower costs. We understand that the Regional submission will look further into the details of the advantages and disadvantages of this change of responsibility. The Regional Municipality of Hamilton-Wentworth's share of the General Welfare Allowances savings is estimated at \$20,079,600.

Property Assessment Service:

Under this proposal, municipalities as a group would have a greater control over the delivery of property assessment service. The responsibility for operational planning, setting levels of service and paying for the property assessment service will be transferred from the Ministry of Revenue to a newly established agency managed by a board of directors with majority municipal representation. Property assessment policy setting authority will remain with the Provincial government.

At the time the disentanglement process was established, the Province was considering charging municipalities for the cost of delivering property assessment services. Municipalities were anxious to ensure that, if the transfer were to take place, that it be done as part of the disentanglement process where the increased municipal costs can be offset by welfare savings or some other cost. Because the welfare savings would go to the upper-tier municipalities (Regions) and most Counties, the assessment service is proposed to be paid by the upper-tier municipality in a two tier system. Given the fact that the municipal responsibility for property taxation is at the lower rather than upper tier level, some have interpreted this proposal as further entangling rather than disentangling.

The municipality's share of the cost of assessment service would be based on the following formula that equally takes into account two factors:

- (1) workload (the number of assessable properties in the municipality) i.e. cost/roll entry \$22.3152; and
- (2) ability to pay (discounted equalized assessment) i.e. cost/\$discounted equalized assessment \$0.00034.

There would be an annual charge to municipalities to pay for this service.

The formula penalizes the urban municipalities where there is significant number of apartment dwelling units and other similar households. It is less costly to assess apartment units than the same number of rural housing units.

Property Assessment Service - Continued

The equal apportionment of cost between the two categories noted above also does not reflect the true costs of running the Regional Assessment office in Hamilton. The cost assigned to the Regional Municipality of Hamilton-Wentworth amounts to \$5,093,500. An analysis of the 1992-1993 budget for the Hamilton Wentworth Regional Office indicates a cost of \$3,717,400, i.e. a difference of \$1,376,100 or an increase of 37% of the budgeted amount. It should be noted, however, that the \$3.7 million costs do not include secondary costs which are absorbed centrally. Therefore, the grossed up costs of the Regional Assessment office in Hamilton after considering an additional 22.95% for secondary costs (Source: Final Report of the Expert Panel on Property Assessment Services, AMO, 1992/93 Expenditure Estimates) would be \$4,570,543 i.e. a difference of \$522,957 from the identified Provincial cost allocation.

The Province will continue to exercise complete control over all policy aspects despite municipalities paying 100 percent of the costs. Again this is not consistent with the first principles established for disentanglement. Under those principles, full accountability and financial responsibility are to include full decision making ability.

Highway Transfers:

The proposed highways to be transferred from the Province to the Region are 59.9 Km. in length or 69.8 of two lane equivalent Km. The share of transfer costs identified for the Region is based on a pro-rating of the relevant Provincial costs on a per Km. basis. The Regional report will outline the pros and cons of the specific roads proposed for transfer. If the costs of maintenance and reconstruction of the specific roads are higher than the share of transfer costs identified, the regional portion of the costs would escalate. It is our understanding that the portion of the highways being transferred to the Region are not in the City of Hamilton. The Regional Transport Service Department will review the condition of the regional roads being transferred from the Province and the regional report will address those issues in their report.

Reduction in Provincial Unconditional Grant:

In this proposed Stage I disentanglement agreement, reductions in unconditional grants are used to balance the ledger. In general any reduction in unconditional grants will reduce the flexibility in the municipal financing. The loss of \$13,886,500 unconditional grants base will occur into the future. It should also be noted that the original purpose for unconditional grant is to equalize the deficiency in the municipal fiscal capabilities and help support a basic level of municipal services. With this further adjustment, these functions are not continuing.

Two Non-Financial Regional Issues:

- (a) Longstanding Regional concern about control of Police Service budget.

Under the new system, the Police Service Board would have to work with their Regional Council and the Council would have the final say on the budget.

- (b) Joint Planning session between the Province and AMO.

The Province has agreed to have an annual joint planning meeting with AMO to discuss matters to interest affecting provincial policy changes on municipal services.

Conclusion:

The intent of the disentanglement process is to be the first step towards more accountable, responsible and understandable government and ultimately result in financial savings to taxpayers.

Enclosed for your information is a copy of the "Part I - Phase one draft Agreement - Review of the Provincial-Municipal relationship (Disentanglement)". As noted in this report, the proposed first phase agreement moves towards this goal to a certain extent. Some significant concerns exist, however, regarding some of the specifics of the cost transfer arrangements and the degree of the control municipalities will have over the services they are being asked to fund.

The municipal viewpoint on disentanglement is represented by The Association of Municipalities of Ontario (AMO). A.M.O. has scheduled a board meeting later in April to consider this issue and the input that has been received from the various municipalities. As the services proposed for transfer in the Phase I agreement, will directly affect the Region rather than the City, and will be considered at the Region, this report is prepared for information only.



c.c. Joe Pavelka, Chief Administrative Officer
Gerry W. Lawson, Treasurer and Commissioner of Finance

NRA:jc
Encl.

PART I - PHASE ONE DRAFT AGREEMENT - REVIEW OF THE PROVINCIAL-MUNICIPAL RELATIONSHIP (DISENTANGLEMENT)

1 PREFACE

Reform of the Provincial-Municipal relationship, also known as disentanglement, is a priority for both the Ontario government and the Association of Municipalities of Ontario (AMO) representing municipal governments across Ontario.

This agreement between the Province of Ontario, and its municipal partners, addresses Phase One of Disentanglement. Through this process, certain roles of each level of government have been defined giving clear responsibility and accountability for specific functions and the authority and resources to perform these roles. The process included participation, consultation and communication with employees, their bargaining agents, key stakeholders and communities affected by this reform.

2 DEFINITIONS

Parties to the Agreement: the Province of Ontario, also known as Ontario, and the Association of Municipalities of Ontario (AMO)

Interim Service Agreements: agreements between Ontario and affected municipalities designed to ensure current levels of service for discretionary programs funded through General Welfare Assistance

Schedule IV Agency: an operational agency which adheres to general management principles of the government but can demonstrate reasons whereby full compliance with all administrative directives established by the Management Board is not appropriate. The board of directors establishes policies and procedures for administering supplies, equipment and services, real property, creative services and information technology. Schedule IV agencies appoint staff under the Public Service Act and comply to Management Board's program management, freedom of information, agency and human resource directives, including employment equity. These agencies are intended to be completely funded out of revenue generated by their programs.

General Welfare Assistance (GWA) Allowances: monies paid to clients in need of such basic living expenses as food, clothing, shelter, personal needs, special diets.

Property Assessment Services: services which identify and assess all real property providing an assessed value for each property to individual municipalities and school boards in the form of assessment rolls. This value is the basis for calculating local tax bills.

Unconditional Grants: grants paid to municipalities under the Ontario Unconditional Grants Act.

3 PREAMBLE

The Province has the general responsibility for ensuring the common well-being of all Ontarians, must serve Ontario as a whole and in exercising its responsibilities, will establish strategies, policies and standards in its areas of interest in order to ensure equitable and consistent service to the public.

The Province is the ultimate decision-making body within its constitutional jurisdiction and also has authority for municipal affairs.

The Province has the authority, in consultation with municipalities, to determine those matters which it considers local and subject to local government policy, service delivery and funding.

Municipalities have the general responsibility for ensuring the common well-being of their residents, must serve their municipality as a whole and in exercising their responsibilities, will establish strategies, policies and standards in their areas of interest.

Municipalities require a range of powers and a variety of resources to perform their delegated responsibilities within the context of provincial strategies, policies and standards.

Municipalities should operate with local autonomy, where local government policy, service delivery and funding is consistent with the needs and preferences of local residents.

The Province and the Municipalities often have shared interests and responsibilities which cannot be separated; recognize that the relationship is dynamic and will evolve over time to meet changing public needs; that the current relationship can be improved and clarified; and that in improving the relationship, different approaches are needed to respond to municipal diversity.

4 PRINCIPLES OF PROVINCIAL-MUNICIPAL DISENTANGLEMENT

4.1 Responsibility and authority for strategy, policy and standards should be determined by each government's interest.

Funding

- 4.2 The proportion of funding should be related to each government's level of responsibility and authority.
- 4.3 Neither the province nor the municipal sector should bear a greater share of financial responsibility as a result of disentanglement.
- 4.4 Social assistance allowances should not be financed from current municipal revenue sources.

Service Delivery

- 4.5 Decision-making for service delivery should be the responsibility of the level of government which fully finances a service.
- 4.6 The process of disentanglement should ensure on-going participation, consultation and communication with employees.

5 PERIOD OF AGREEMENT

This agreement takes effect on January 1, 1994.

6 GENERAL

- 6.1 All annexes and appendices referred to in this agreement shall form part of this agreement.
- 6.2 An amendment to this agreement shall be made in writing and may be made effective on a date agreed to by both parties.
- 6.3 An amendment to the agreement, including its annexes or appendices, may be made by designated representatives of each party.

7 PROVINCIAL RESPONSIBILITIES - PHASE ONE AGREEMENT

General Welfare Assistance Allowances

- 7.1 Ontario and the municipal sector agree that Ontario will assume 100% of the costs of the General Welfare Assistance Allowances (GWA) effective January 1, 1994.

- 7.2 Interim Service Agreements between Ontario and affected municipalities will be signed. These agreements, effective January 1, 1994, will maintain current levels of service for discretionary programs funded through GWA. The agreements will remain in effect until such time as broader social assistance legislation is in place.

8 MUNICIPAL RESPONSIBILITIES - PHASE ONE AGREEMENT

8.1 Property Assessment Services, Provincial Highway Transfers and Municipal Roads

Ontario and the municipal sector agree that effective January 1, 1994, the municipal sector will assume 100% of the costs of approximately 2100 km of provincial highways which, in the opinion of the Province, exercised in good faith, no longer meet provincial highway criteria.

Ontario and the municipal sector agree that there will be no adjustments to either the maximum Provincial subsidy rates for municipal roads or the current eligibility for municipal roads administration for subsidization purposes for the fiscal year 1993/94.

Ontario and the municipal sector agree that property assessment charges will be recovered from municipalities effective January 1, 1994. The Province will establish a Schedule IV Crown Agency for the delivery of property assessment services assigning majority municipal representation on the Board of Directors.

8.2 Unconditional Grants

Ontario and the municipal sector agree that Unconditional Grants will be used to balance the fiscal trade.

9 FISCAL ELEMENTS OF THE AGREEMENT

- 9.1 Ontario and the municipal sector agree that the fixed value of the tradeoff will be \$340 million.
- 9.2 Ontario and the municipal sector agree that the transfer of ~2100 km of Provincial highways is valued at \$40 million.
- 9.3 Ontario and the municipal sector agree that the recovery of Property Assessment charges from municipalities is valued at \$135 million.

- 9.4 Ontario and the municipal sector agree that Unconditional Grants of \$165 million will be used to balance the fiscal trade.

10 NON-FISCAL ELEMENTS OF THE AGREEMENT

10.1 Ontario and the municipal sector agree to an annual joint planning meeting of key Cabinet members and AMO representatives to discuss matters of mutual interest. The Ministry of Municipal Affairs will table at this meeting, an annual municipal impact analysis of the cumulative effects of Provincial policy and program changes made in the previous year.

10.2 Ontario and the municipal sector agree that Ontario will introduce amendments to the Police Services Act in the Spring of 1993. These amendments will provide municipalities greater flexibility and control over budgeting for police services while ensuring the provision of adequate and effective policing. The amendments will incorporate the following elements:

- a) formalized Police Services Board (PSB) responsibilities in the municipal budget process;
- b) establishment of a local mediation process on outstanding budgetary disputes which is voluntary and reports back to Council for its final budgetary decision;
- c) affirmation of PSB's right to a hearing on adequacy before the Ontario Civilian Commission on Police Services (OCCPS) if, in the PSB's opinion, council's decision will negatively impact adequacy of policing in a municipality;
- d) confirmation that orders by the OCCPS re: adequacy of policing services are binding;
- e) formal requirement for OCCPS to employ the following parameters in its determination of adequacy:
 - i) municipal ability to pay;
 - ii) no in-year impacts on municipality except in those circumstances when public safety is at risk;
 - iii) municipal council shall establish a timetable for the phased implementation of OCCPS orders regarding adequacy.

This Agreement has been signed on behalf of the Government of Ontario by the Minister of Municipal Affairs and on behalf of the municipal sector by the Association of Municipalities of Ontario.

Dated at Toronto, Ontario this 22nd day of January 1993

The Honorable Dave Cooke
Minister of Municipal Affairs

Mr. John Harrison
Past-president,
Association of Municipalities of Ontario

APR 1 1993

The Regional Municipality of Peel, 10 Peel Centre Drive, Brampton, Ontario, L6T 4B9 Tel. (416) 791-9400

March 24, 1993

Our Reference: 93-109

Mayor R. Morrow
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8V 2W5

Dear Mayor Morrow:

Subject: Disentanglement Agreement

To clear
for 7+A. 11.

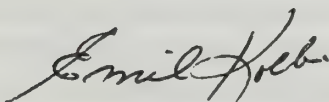
The Council of the Regional Municipality of Peel has directed me to communicate its concerns regarding the proposed disentanglement agreement recently negotiated by the Province of Ontario and representatives of the Association of Municipalities of Ontario (AMO).

Under the terms of the proposed agreement, General Welfare Assistance benefits will be removed from the property tax. In exchange, municipalities no longer funding general welfare assistance benefits will be required to assume operational and financial responsibility for certain provincial highways and fund the province-wide property assessment function—a function that will be carried out by a new Schedule 4 provincial agency. This trade-off of responsibilities is intended to be "revenue neutral" for both levels of government. It is our analysis of the agreement as it applies to the Region of Peel that the proposal is not fiscally neutral and, in fact, this municipality would be taking on more costs than it would be saving.

Regional Council also has serious concerns with the proposed disentanglement agreement from a number of other perspectives. For instance, Regional Council believes that the \$135 million property assessment function should be allocated to municipalities according to a "user-pay" philosophy. Such an approach would improve fairness and accountability within the municipal community. Currently, inter-municipal subsidization is being proposed in the agreement.

Regional Council also believes that the true costs associated with bringing both provincial highways and district assessment offices "up to standard" are not being accurately reflected in the proposed agreement's financing plan. These deficiencies would become the responsibility of municipalities to correct and fund with future municipal mill rate increases. Regional Council's perspective is apparently shared by the Provincial Auditor—his 1992 report is critical of the Province's resource allocation and management practices associated with both of these programs.

I would urge your Council to analyze the proposed disentanglement agreement very closely both in terms of principles (does this agreement really disentangle?), the multi-year costs and liabilities to your municipality. The AMO will be voting on the proposed agreement at a special April 23 Board of Directors meeting. I urge you to ensure that your municipality's interests, and those of the entire municipal sector, are protected.



Emil V. Kolb
Chairman and Chief
Executive Officer

OFFICE OF THE CHAIRMAN



March 3, 1993

For Information

**CHAIRMAN AND MEMBERS OF
REGIONAL COUNCIL**

**SUBJECT: INTERIM REPORT ON THE PROPOSED DISENTANGLEMENT AGREEMENT
BETWEEN THE PROVINCE OF ONTARIO AND THE ASSOCIATION OF
MUNICIPALITIES OF ONTARIO (AMO)**

I OBJECTIVE

The purpose of this interim report is to assess the financial and operational implications of the proposed disentanglement agreement for the Regional Municipality of Peel. A final report, recommending an appropriate Council position on the acceptability of the agreement, will be forthcoming.

II DISCUSSION

1. Disentanglement Principles

Previous reports to Regional Council have noted the important contribution made by the Hopcroft Report in putting forward a set of overarching disentanglement principles. Foremost among these principles is the recognized need for greater clarity, simplicity and accountability in the Provincial-Municipal financial relationship. The entire disentanglement process was initiated because the current entangled relationship was deemed to be unsustainable.

The Hopcroft Report made it clear that the taxpayer was to be the prime beneficiary of disentanglement. Once the various provincial and municipal responsibilities were properly sorted out, political accountability would improve and public scrutiny would result in more efficient government and long term financial savings for the taxpayer.

Prior reports to Council have outlined, in some detail, the disentanglement process that lead to the proposed agreement. An explanation of this process is not repeated in this report. However, the principles of disentanglement that were intended to drive the process are certainly worth repeating:

- responsibility and authority for strategy, policy and standards should be determined by each government's interest;
- the proportion of funding should be related to each government's level of responsibility and authority;
- neither the Province nor the municipal sector should bear a greater share of financial responsibility as a result of disentanglement;
- services aimed at redistributing income should not be financed from current municipal revenue sources;
- decision-making for service delivery should be the responsibility of the level of government which fully finances the service; and
- the process of disentanglement should ensure on-going participation, consultation, and communication with employees and communities affected by this reform.

In evaluating the proposed disentanglement agreement now before Regional Council, it is useful to keep these overarching principles firmly in mind. Does the proposed agreement clarify roles and responsibilities, and improve taxpayer accountability? Is the result a simpler, more comprehensible division of labour among governments? Is the result better government for the taxpayers of Ontario? It is these questions and their answers that should shape Peel's position on the proposed agreement.

2. Proposed Agreement at a Glance

On January 22, 1993, a Draft Disentanglement Agreement was signed by the Minister of Municipal Affairs and the Past President of AMO.
(see Appendix 1)

The draft agreement would obligate the Province to assume full responsibility for General Welfare Assistance benefits on January 1, 1994. A negotiated GWA value of \$340 million province wide was agreed upon by both sides. Since the \$340 million for GWA was assumed not to correspond to 1992 actuals, it was decided that each municipality's GWA trade-off for disentanglement purposes would be calculated by taking its percentage share

of actual 1992 costs and applying the percentage against the negotiated value of \$340 million. Delivery arrangements for GWA are not affected in any way by the proposed agreement.

In exchange for removing GWA benefits from the property tax, affected municipalities are to assume \$135 million of property assessment costs and \$40 million in Provincial highway transfers. Reduced unconditional grants of \$165 million are to be used to balance the overall ledger and ensure fiscal neutrality for both the Province and municipalities.

There are two key non-financial elements included in the agreement. The first non-financial element is an annual report reviewing municipal downloading, including the financial impact of provincial actions. This report will provide a useful mechanism to focus attention on the need for intergovernmental accountability. The second non-financial element would see the Police Services Act amended to give municipalities greater control over police budgets. Page seven of Appendix 1 outlines the proposed budgetary relationship between the Police Service Boards and Councils. This budgetary model is based, for the most part, on the Peel approach as it already exists. However, some enhancements to the status-quo are noteworthy; appeals can be made only on the basis of adequacy of service and the OCCPS must take into account the municipality's economic circumstance.

**Disentanglement Agreement: Province Wide Scenario
(\$ millions)**

General Welfare Savings \$340

Offset by:

Assessment	\$135
Highway Transfers	\$40
Unconditional Grants	\$165
Total Offsets	\$340

3. Proposed Agreement Applied to Peel

The agreement would relieve Peel of \$17.367 million in General Welfare Assistance benefits. GWA administration would continue to be cost-shared according to existing arrangements. Interim service agreements must be signed by the Province and Peel to ensure discretionary welfare funding would continue at present service levels.

In exchange, Peel would be required to fund a \$9.810 million share of property assessment costs associated with the creation of a new Schedule 4 provincial agency to administer the property assessment function province wide. This function is presently carried out by the Ministry of Revenue at no cost to municipalities.

Peel would also be required to assume responsibility for portions of Highway #7 (from Highway 410 to Highway 50) and Highway #136 (from Highway 24 to Orangeville) and Highway 50 (Steeles to Highway 7). Under the proposed agreement, these highway transfers are assigned a value of \$414,000 to trade-off against GWA.

Finally, a reduction in Peel's unconditional grants of \$7.143 million would be implemented to balance the ledger and ensure fiscal neutrality.

**Disentanglement Agreement: Peel Scenario
(\$ millions)**

General Welfare Savings \$17.367

Offset by:

Assessment	\$9.810
Highway Transfers	\$0.414
Unconditional Grants	\$7.143
Total Offsets	\$17.367

4. Analysis of Proposed Agreement by Major Component**i) General Welfare Assistance**

As noted above, the negotiated welfare cost (total municipal share) to be assumed by the Province is \$340 million. The Province's initial negotiating position was \$400 million. AMO's original negotiating position was \$285 million.

Regional Council has consistently taken the position that the staggering increases in welfare costs are inappropriately charged against property taxpayers who may themselves be unemployed; rather income redistribution programs are more appropriately charged against the more progressive income tax based system.

However, Council should be aware that the proposed agreement would see GWA benefits transferred back to the Province at all time historic high levels in terms of caseloads and expenditures. The corresponding expenditure trade-offs to be assumed by Peel will have to be at similarly high levels in order to ensure fiscal neutrality at a time when welfare costs seem to be peaking.

Regional Council's view of the future trend for GWA spending is a critical factor when evaluating the merits of the proposed agreement in the near future. If Regional Council believes caseloads/expenditures will moderate as the economy recovers, then January 1, 1994 is not an opportune time to implement disentanglement. The Province will reap the benefits of any future reduction in expenditures. During the economic recovery that followed the recession of the early 1980's, Peel's caseloads/population ratio dropped from .9 percent of the population to .7 percent.

Likewise, if Regional Council believes that a limit of tolerance has been reached in terms of the public's willingness to continue devoting more and more tax dollars to welfare in general, and that welfare reform based on expenditure control is inevitable, then the timing for withdrawing from GWA benefits funding is problematic.

If however, Regional Council believes that the future trend for GWA spending is an upward spiral that will not be affected by the economic recovery, by the public's affordability concerns, or by the Province's \$12 billion budget deficit, then January 1, 1994 withdrawal from funding GWA benefits may be justified.

To assist Council in its evaluation, attached as appendices #2 and #3, are Peel staff and Provincial forecasts of future caseloads and expenditures. Council should recognize that forecasting is an uncertain art, and specific forecasts may or may not come to pass.

Another matter of concern is the delivery of welfare. It has become apparent that the Province is strongly contemplating a special purpose body approach for the delivery of a variety of human services, as opposed to traditional municipal delivery options. Regional staff believe this approach to be fundamentally flawed. Special purpose bodies are not taxing authorities and therefore lack the ability to balance demands for service against cost. Municipal councils, in contrast, are well placed to consider the needs of their residents and apply programs in locally tailored fashion to meet community needs within an affordable framework.

There are a number of strengths inherent in the municipal delivery of human services like welfare:

- the strong tradition of local government involvement in social assistance and the existing service infrastructure;
- the opportunity for closer contact with, and hence accountability to, the community and consumers;
- responsiveness to local needs including innovation based on local conditions that recognize community diversity;
- flexible and adaptive administrative infrastructures;
- the ability to facilitate closer links between social assistance and other community based services and supports.

In retrospect, it would have been helpful for the Province to declare its preferred direction for human service delivery "across the board" before dealing with a single piece of the puzzle (general welfare benefits). The first phase of the disentanglement process has pointed out the need to have a broad "macro" view of the overall trade-offs to be made -- a view which could then guide the direction for different phases of the negotiations.

ii) Assessment

Under the proposed agreement, the \$135 million cost associated with a new Schedule 4 assessment agency will be allocated among municipalities according to a 50%/50% weighted average of a share of costs based on a share of assessment units (a count of properties) and a share of costs based on a share of discounted equalized assessment (the value of properties). This weighting reflects two distinct policy directions; user pay (units count) and ability to pay (equalized assessment). In Peel our share of province wide assessment units (5.9%) and equalized assessment (8.6%) equate to a blended average 7.3% share of the total province wide assessment costs.

If it is assumed that the Schedule 4 agency should function according to the user pay principle, then the proposed mechanism for allocating costs is inappropriate. It is the number of assessable units that will primarily generate the work load of the agency, not the actual assessed value of properties. Including the assessed value of properties in the cost allocation mechanism subsidizes some municipalities at the expense of others. It has traditionally been the Province's responsibility, through the equalization component of the unconditional grant, to assist municipalities with deficient fiscal capacities. It should not be the responsibility of Peel property taxpayers. One hundred percent cost allocation based on assessable units is far more consistent with a user pay approach to the agency.

**Allocation of Assessment Costs
(\$ millions)**

	Peel's Share
Proposed Formula	\$9,810,153
User Pay Formula	\$7,955,122
Added Cost to Peel	\$1,855,031

The assessment trade-off raises a number of other concerns from Peel's perspective. The Province will continue to exercise complete control over all policy aspects related to municipal taxation, apportionment and assessment. Municipalities will acquire some control over the delivery of assessment services while paying 100 percent of the costs.

The Schedule 4 agency will have on its Board "...a majority of municipal representation". The Board will not control wage settlements, but will have a say over the number of staff and workload priorities of those staff. Board decisions will determine where Peel tax dollars are spent, therefore fair representation on the Board becomes a key consideration. Lower tier Board members will want expanded service to maximize their property tax revenue base. Upper tier representatives may resist enhanced levels of service because they are responsible for 100% of agency funding. How will these competing priorities be balanced in terms of Board representation? The problem of conflicting interests within the municipal community (entanglement) might be reduced if the charges for assessment were made directly to the tax collecting level of municipal government.

During the disentanglement negotiations, municipal representatives argued that the assessment program is currently underfunded, at least in certain parts of the Province. Upon taking the program over, municipalities would be forced to incur increased costs to provide a basic level of service across the Province. It is estimated that the charges being allocated to Halton and Peel would exceed the current cost of our local Assessment Office by \$4.9 million.

In a nutshell, the fundamental problem with the assessment component of the agreement is that it further entangles governments rather than disentangling them. The Province will set policy, lower tiers will collect taxes, and upper tiers will pay the bills. This is contrary to the overarching disentanglement principles of clarity, simplicity and accountability. An alternative approach, recommended by the Expert Panel on Assessment, would see lower tier municipalities take on assessment costs while upper tiers provided them with a portion of the vacated tax room created by GWA savings to compensate. Millrates would be restated to reflect the new costs. It might also be preferable to have direct municipal control over the assessment function rather than indirectly through a Schedule 4 agency. Smaller municipalities could be grouped together to achieve appropriate economies of scale – economies already present in urban Ontario. If direct municipal control of assessment were to occur at the upper tier, it might make sense to move the tax collection function to the upper tier at some point in the future.

iii) Highways Transfer

The province wide value attached to the transfer of highways is \$40 million. The figure of \$40 million was a negotiated number that bears little relationship to actual costs. MTO apparently developed the number using three factors; construction costs, maintenance, system rationalization.

The \$40 million is to be allocated among municipalities according to their share of the total number of lane kilometres being transferred. Peel's share under this formula is \$414,000 for 34.7 centre line kilometres.

The proposed allocation formula does not take into account the differing volumes of traffic that will travel urban lane kilometres versus rural lane kilometres, and thus fails to account for the differing life cycles costs of various roads. More importantly, the formula does not recognize the unmet capital needs associated with many of these roads. For instance, Peel Public Works staff estimate \$20 million dollars of unmet capital needs for the two roads Peel would be expected to take over. Annualized capital and operating costs would equate to a \$2.6 million annual cost for Peel – substantially higher than the proposed \$414,000 allowance.

Peel staff wish to emphasize their agreement with the principle of upper tier municipalities taking over highways that no longer function as "thoroughfares" because of the subsequent construction of a more efficient 400 series highway. However, a realistic recognition of true costs to be assumed needs to occur and be incorporated into the value of the highways trade-off. Both Metro and York are voicing similar concerns with respect to unrecognized capital costs. In common with York, staff wonder whether Highway 7 should be assumed in that the "paralleling" highway - 407 - is not yet constructed.

iv) Unconditional Grants

Peel's share of unconditional grants that would be lost under the proposed agreement is \$7.143 million. The grant reduction is intended to balance-off the other trade-offs for welfare (roads, assessment) and ensure fiscal neutrality.

Regional staff are concerned with the magnitude of this component which was originally intended as a minor balancing factor. Unconditional grants are an extremely flexible source of municipal financing that can be applied to any Regional program. Should the disentanglement proposal go forward, Region staff would prefer to see these unconditional grants retained and a higher roads trade-off be negotiated. Staff believe that the future prospects for maintaining unconditional grants are better than those for conditional grants (ie. roads).

The disproportionate changes in unconditional grants from one municipality to another can have significant financial implications in future years. For example, if one assumes that future unconditional grant increases will average the CPI rate of inflation over the long term; a reduction in Peel's unconditional grants of \$7.143 million will equate to a compounding loss of \$143,000 (2 percent of \$7.143 million) annually.

Traditionally, unconditional grants have been used by the Province to equalize deficiencies in municipal fiscal capacities. They also represent an income tax based source of progressive funding to assist property tax funded services. If the unconditional grant is in essence "carved up" to balance the ledger for disentanglement, the equalization function will no longer be possible. While Peel does not receive an equalization component in its unconditional grant, it does benefit indirectly. As long as an equalization grant existed, the Province could assist "have not" municipalities through a single program without introducing a subsidization component into every other program it delivered. After disentanglement this will no longer be possible. So called "pure" programs (e.g. 75% funded health programs) could now be influenced into accounting for "have not" municipalities, at the expense of other municipalities, without any fixed criteria/formula for doing so.

5. Outstanding Issues for Council to Consider

The proposed disentanglement agreement contains a number of risk factors and items of concern that have been reviewed in this report:

- on day one of the agreement, once risk factors associated with the trade-offs are taken into account, there does not appear to be fiscal neutrality for Peel – a violation of one of the original principles for negotiating the agreement,
- is this the right time to trade-off GWA given the imminent economic recovery (however weak) and the all time high caseloads and expenditure levels we would freeze into our budget?
- is the inclusion of assessment in the proposal appropriate and can the cost allocation problems be corrected?
- can roles/responsibilities in the Schedule 4 assessment agency be clarified to ensure real municipal influence and accountability, or should the assessment function be devolved to municipalities? Which level of municipal government should be assessed the costs?

- is the Province prepared to recognize the real capital costs associated with the transfer of highways? If not will the Province agree to assume the responsibility for these roads on a contractual basis for which the Region will reimburse them at the value allowed in the trade-off?
- is there an opportunity to minimize the use of unconditional grants in the trade-off, such as reintroducing sewer and water grants?

6. Financial Risk Factors Inherent in the Agreement

Council will want to carefully consider the "fiscal neutrality" principle as it applies to the trade-offs for welfare Peel would be obligated to assume under the proposed agreement. Each of the trade-offs come with additional cost risks that need to be carefully explored.

In the case of the highways transfer, the risk component consists of the extra \$2 million per year required to pay for required capital improvements. The extra risk associated with the assessment takeover is a product of existing deficiencies in the current operation discovered after discussions with local Area municipal staff. The service gap for assessment is estimated at \$1.5 million annually. The reduction in unconditional grants means that any future increases in grant levels, over the long term, will be levered downwards since the increases would be applied to a significantly smaller base.

The risk factors associated with the three trade-offs have been summed up graphically in appendix # 6, which indicates the absence of fiscal neutrality on day one of the proposed agreement. The total shortfall (highways + assessment + unconditional grants) is \$3.65 million per year.

III CONCLUSIONS

Regional staff are certainly supportive of the need for a disentanglement agreement that is consistent with the overarching principles of clarity, simplicity and accountability implicit in the Hopcroft Report. Peel staff are also supportive of the disentanglement process currently underway. A genuine desire to improve the Provincial-Municipal relationship exists within this process. Peel is prepared to play a leadership role in using the process to continue working towards an agreement.

With Peel's support for both the overarching principles of disentanglement and the current process in mind, the fact remains that there are a number of issues within the proposed agreement that require further examination/explanation. There are some components of the proposed agreement that need to be fundamentally reconsidered or amended in order to make it satisfactory to the Region of Peel.

At this point, Peel staff support a disentanglement proposal that meets the following criteria:

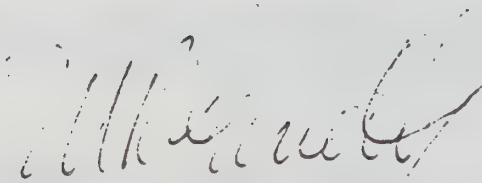
- General Welfare Assistance benefits are removed from the property tax base once the Province's intention to maintain long term municipal delivery of human services is made clear,
- Assessment costs be re-evaluated to include current operating/budget deficiencies, and further that the allocation of costs be based on assessable units or some other mechanism consistent with a user pay philosophy,
- Assessment costs be financed by lower tier municipalities that currently collect property taxes, and that a compensation package involving upper and lower tier millrate restatements be implemented to ensure fiscal neutrality on a Region by Region basis,
- That highway transfers be included in an agreement, but that the Province be required to properly recognize the true capital costs involved in bringing highways "up to standard", with appropriate trade-off amounts to be determined through direct negotiations with affected municipalities.
- The specific trade-off package for Peel be revised to correct the annual operating/budget deficiencies as identified in this report:

Highways	= \$ 2.0m (unmet capital costs)
Assessment	= \$ 1.5m (estimated Peel share of Halton/Peel assessment office operating/budget deficiency)

CAO-93-2.13

Regional Council
March 3, 1993
Page 13

Staff are in the process of meeting with the other Regions to determine if there are elements of the proposed agreement around which Regions could collectively take a position. Additionally, several questions posed by the Regions to the Province are in the process of being answered. Once questions have been answered and the possibility of common positions explored, staff will return with a definitive resolution for Council's consideration – a resolution that will then be forwarded to AMO in time to influence the Association's important April 25 disentanglement meeting.



Michael R. Garrett
Chief Administrative Officer

MRG/t/sg
Attachments

PART I - PHASE ONE DRAFT AGREEMENT - REVIEW OF THE PROVINCIAL-MUNICIPAL RELATIONSHIP (DISENTANGLEMENT)

1 PREFACE

Reform of the Provincial-Municipal relationship, also known as disentanglement, is a priority for both the Ontario government and the Association of Municipalities of Ontario (AMO) representing municipal governments across Ontario.

This agreement between the Province of Ontario, and its municipal partners, addresses Phase One of Disentanglement. Through this process, certain roles of each level of government have been defined giving clear responsibility and accountability for specific functions and the authority and resources to perform these roles. The process included participation, consultation and communication with employees, their bargaining agents, key stakeholders and communities affected by this reform.

2 DEFINITIONS

Parties to the Agreement: the Province of Ontario, also known as Ontario, and the Association of Municipalities of Ontario (AMO)

Interim Service Agreements: agreements between Ontario and affected municipalities designed to ensure current levels of service for discretionary programs funded through General Welfare Assistance

Schedule IV Agency: an operational agency which adheres to general management principles of the government but can demonstrate reasons whereby full compliance with all administrative directives established by the Management Board is not appropriate. The board of directors establishes policies and procedures for administering supplies, equipment and services, real property, creative services and information technology. Schedule IV agencies appoint staff under the Public Service Act and comply to Management Board's program management, freedom of information, agency and human resource directives, including employment equity. These agencies are intended to be completely funded out of revenue generated by their programs.

General Welfare Assistance (GWA) Allowances: monies paid to clients in need of such basic living expenses as food, clothing, shelter, personal needs, special diets.

Property Assessment Services: services which identify and assess all real property providing an assessed value for each property to individual municipalities and school boards in the form of assessment rolls. This value is the basis for calculating local tax bills.

Unconditional Grants: grants paid to municipalities under the Ontario Unconditional Grants Act.

3 PREAMBLE

The Province has the general responsibility for ensuring the common well-being of all Ontarians, must serve Ontario as a whole and in exercising its responsibilities, will establish strategies, policies and standards in its areas of interest in order to ensure equitable and consistent service to the public.

The Province is the ultimate decision-making body within its constitutional jurisdiction and also has authority for municipal affairs.

The Province has the authority, in consultation with municipalities, to determine those matters which it considers local and subject to local government policy, service delivery and funding.

Municipalities have the general responsibility for ensuring the common well-being of their residents, must serve their municipality as a whole and in exercising their responsibilities, will establish strategies, policies and standards in their areas of interest.

Municipalities require a range of powers and a variety of resources to perform their delegated responsibilities within the context of provincial strategies, policies and standards.

Municipalities should operate with local autonomy, where local government policy, service delivery and funding is consistent with the needs and preferences of local residents.

The Province and the Municipalities often have shared interests and responsibilities which cannot be separated; recognize that the relationship is dynamic and will evolve over time to meet changing public needs; that the current relationship can be improved and clarified; and that in improving the relationship, different approaches are needed to respond to municipal diversity.

4 PRINCIPLES OF PROVINCIAL-MUNICIPAL DISENTANGLEMENT

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- 4.4 Social assistance allowances should not be financed from current municipal revenue sources.

Service Delivery

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- 4.6 The process of disentanglement should ensure on-going participation, consultation and communication with employees.

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8 MUNICIPAL RESPONSIBILITIES - PHASE ONE AGREEMENT

8.1 Property Assessment Services, Provincial Highway Transfers and Municipal Roads

Ontario and the municipal sector agree that effective January 1, 1994, the municipal sector will assume 100% of the costs of approximately 2100 km of provincial highways which, in the opinion of the Province, exercised in good faith, no longer meet provincial highway criteria.

Ontario and the municipal sector agree that there will be no adjustments to either the maximum Provincial subsidy rates for municipal roads or the current eligibility for municipal roads administration for subsidization purposes for the fiscal year 1993/94.

Ontario and the municipal sector agree that property assessment charges will be recovered from municipalities effective January 1, 1994. The Province will establish a Schedule IV Crown Agency for the delivery of property assessment services assigning majority municipal representation on the Board of Directors.

8.2 Unconditional Grants

Ontario and the municipal sector agree that Unconditional Grants will be used to balance the fiscal trade.

9 FISCAL ELEMENTS OF THE AGREEMENT

- 9.1 Ontario and the municipal sector agree that the fixed value of the tradeoff will be \$340 million.
- 9.2 Ontario and the municipal sector agree that the transfer of ~2100 km of Provincial highways is valued at \$40 million.
- 9.3 Ontario and the municipal sector agree that the recovery of Property Assessment charges from municipalities is valued at \$135 million.

- 9.4 Ontario and the municipal sector agree that Unconditional Grants of \$165 million will be used to balance the fiscal trade.

10 NON-FISCAL ELEMENTS OF THE AGREEMENT

- 10.1 Ontario and the municipal sector agree to an annual joint planning meeting of key Cabinet members and AMO representatives to discuss matters of mutual interest. The Ministry of Municipal Affairs will table at this meeting, an annual municipal impact analysis of the cumulative effects of Provincial policy and program changes made in the previous year.
- 10.2 Ontario and the municipal sector agree that Ontario will introduce amendments to the Police Services Act in the Spring of 1993. These amendments will provide municipalities greater flexibility and control over budgeting for police services while ensuring the provision of adequate and effective policing. The amendments will incorporate the following elements:
- a) formalized Police Services Board (PSB) responsibilities in the municipal budget process;
 - b) establishment of a local mediation process on outstanding budgetary disputes which is voluntary and reports back to Council for its final budgetary decision;
 - c) affirmation of PSB's right to a hearing on adequacy before the Ontario Civilian Commission on Police Services (OCCPS) if, in the PSB's opinion, council's decision will negatively impact adequacy of policing in a municipality;
 - d) confirmation that orders by the OCCPS re: adequacy of policing services are binding;
 - e) formal requirement for OCCPS to employ the following parameters in its determination of adequacy:
 - i) municipal ability to pay;
 - ii) no in-year impacts on municipality except in those circumstances when public safety is at risk;
 - iii) municipal council shall establish a timetable for the phased implementation of OCCPS orders regarding adequacy.

CAO-93-2.19

Appendix 1

Disentanglement Phase One:
Consultation Paper on the Draft Provincial-Municipal Agreement

This Agreement has been signed on behalf of the Government of Ontario by the Minister of Municipal Affairs and on behalf of the municipal sector by the Association of Municipalities of Ontario.

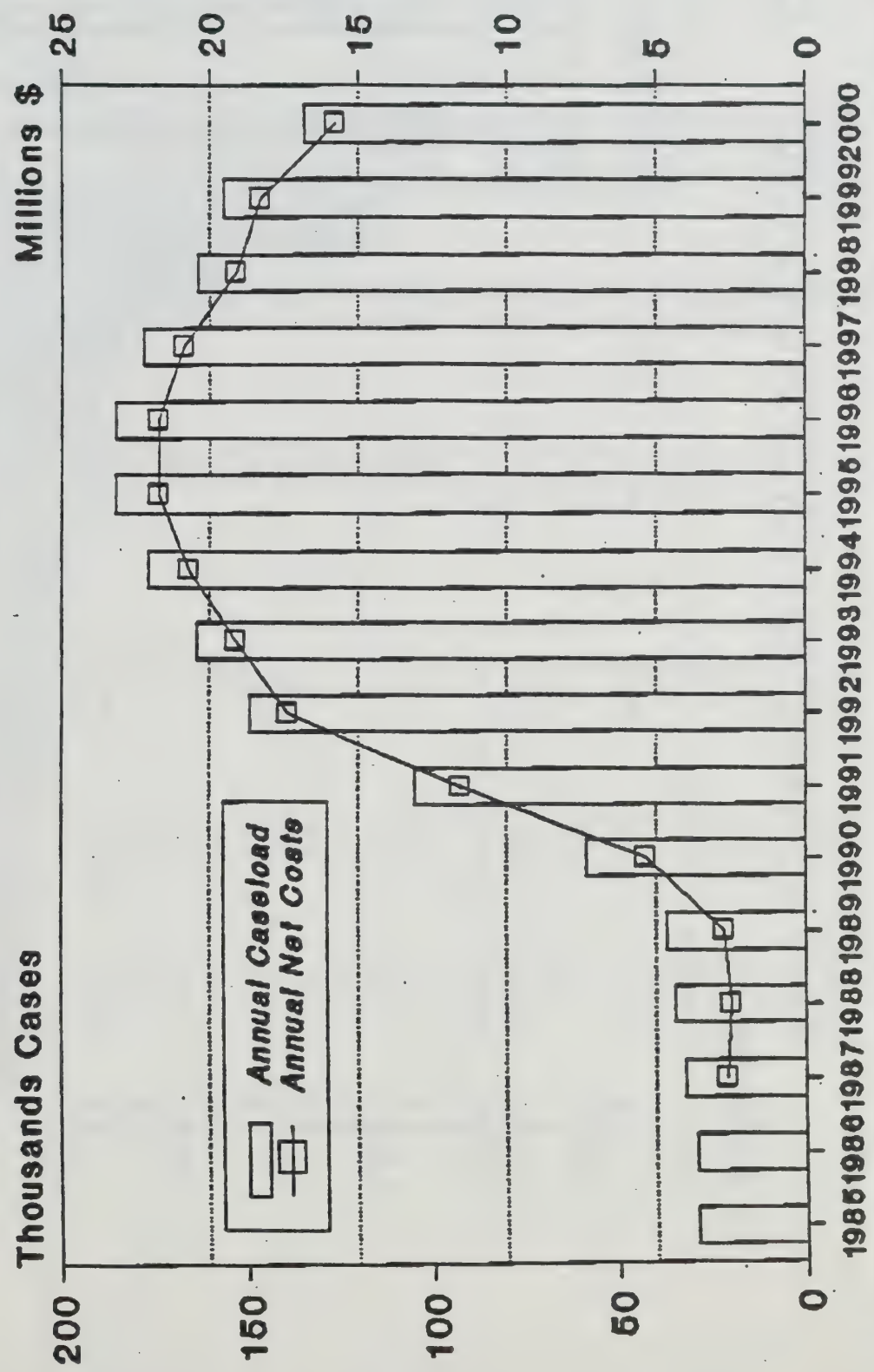
Dated at Toronto, Ontario this 22nd day of January 1993

The Honorable Dave Cooke
Minister of Municipal Affairs

Mr. John Harrison
Past-president,
Association of Municipalities of Ontario

CAO-93-2.20

G.W.A. CASELOAD & COST PROJECTIONS 1985 TO 2000

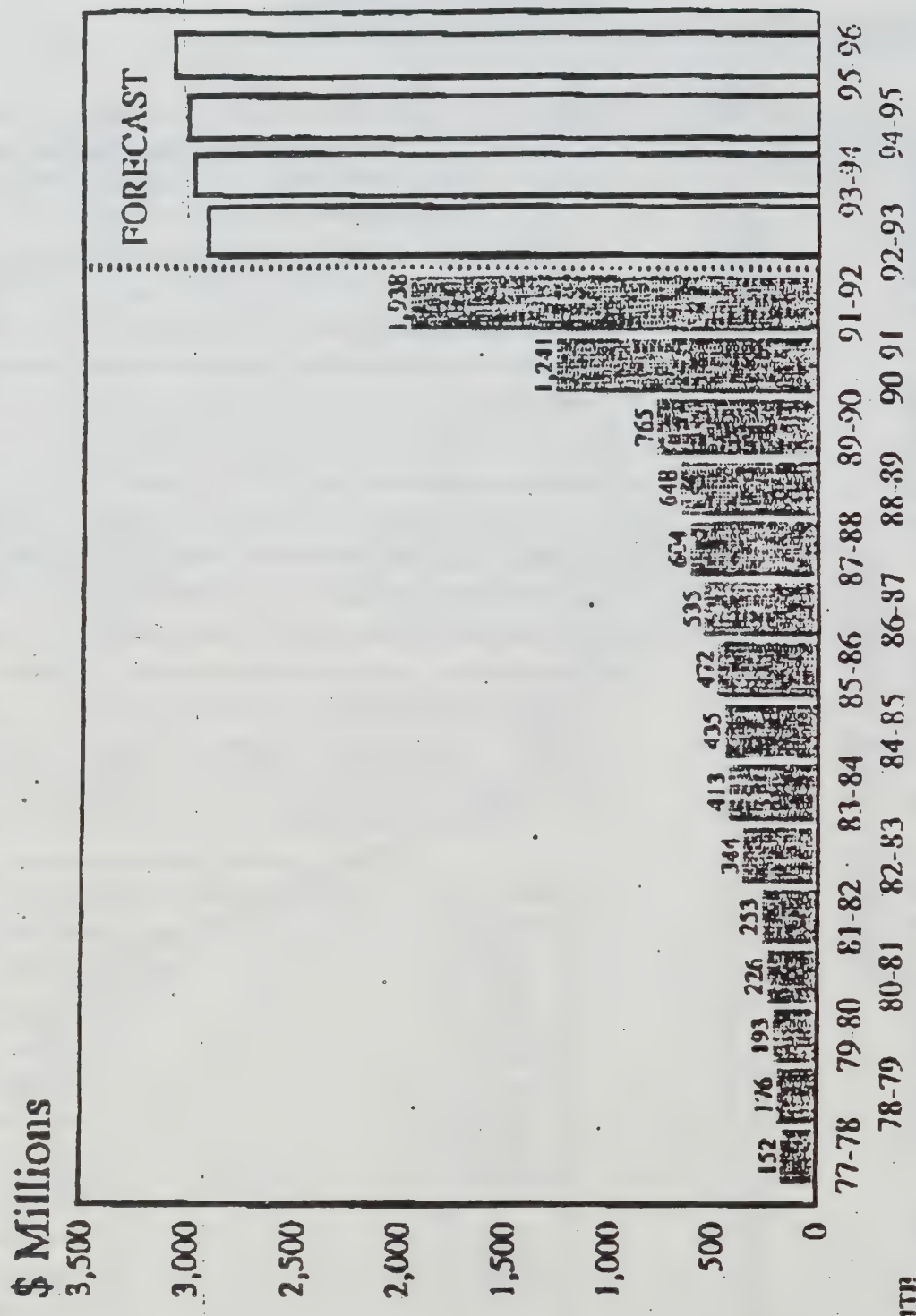


- Assumes that case beneficiaries will return to pre-recession level of 2% of population
- Costing does not include rate or inflation increases.

PA6-93-2.21

APPENDIX 3 - PROVINCE WIDE GWA FORECAST

GWA ANNUAL EXPENDITURE



NTR

MARCH 26TH, 1992.

Appendix 4

FINANCIAL IMPACT OF PHASE 1 DISENTANGLEMENT TRADEOFF ON MUNICIPALITIES ('000s)

MUNICIPALITY	SHIFT FROM PROVINCE TO MUNICIPALITIES				ESTIMATED* MUNICIPAL SHARE OF GWA (4)	TRADEOFF MINUS MUNICIPAL SHARE OF GWA (5) = (2) - (4)	1992 UNCONDITIONAL GRANTS (6)	REVISED UNCONDITIONAL GRANTS (7) = (5) + (6)
	PROVINCIAL HIGHWAY TRANSFER (1)	PROPERTY ASSESSMENT CHARGES (2)	TOTAL AMOUNT OF TRADEOFF (3) = (2) + (1)					
<u>Ottawa - Carleton r</u>								
cumberland tp	3,109.3	8,776.7	11,886.1		29,581.2	(\$17,695.1)	27,954.9	10,259.8
gloucester c	0.0	0.0	0.0		0.0	\$0.0	1,102.4	1,102.4
goulbourn tp	0.0	0.0	0.0		0.0	\$0.0	5,278.1	5,278.1
kanata c	0.0	0.0	0.0		0.0	\$0.0	447.1	447.1
nepean c	0.0	0.0	0.0		0.0	\$0.0	1,351.4	1,351.4
osgoode tp	0.0	0.0	0.0		0.0	\$0.0	4,630.0	4,630.0
ottawa c	0.0	0.0	0.0		0.0	\$0.0	423.4	423.4
rideau tp	0.0	0.0	0.0		0.0	\$0.0	20,537.7	20,537.7
rockcliffe park v	0.0	0.0	0.0		0.0	\$0.0	265.1	265.1
vanier c	0.0	0.0	0.0		0.0	\$0.0	143.6	143.6
west carleton tp	0.0	0.0	0.0		0.0	\$0.0	2,708.6	2,708.6
					0.0	\$0.0	423.3	423.3
<u>Peel r</u>								
brampton c	413.9	9,810.2	10,224.0		17,367.4	(\$7,143.3)	32,142.6	24,999.2
caledon t	0.0	0.0	0.0		0.0	\$0.0	3,538.9	3,538.9
mississauga c	0.0	0.0	0.0		0.0	\$0.0	596.8	596.8
	0.0	0.0	0.0		0.0	\$0.0	7,836.3	7,836.3
<u>Sudbury r</u>								
capreol t	537.2	1,661.5	2,198.7		5,800.4	(\$3,601.7)	24,014.1	20,412.4
nickel centre t	0.0	0.0	0.0		0.0	\$0.0	406.4	406.4
onaping falls t	0.0	0.0	0.0		0.0	\$0.0	1,138.2	1,138.2
rayside - balfour t	0.0	0.0	0.0		0.0	\$0.0	763.5	763.5
sudbury c	0.0	0.0	0.0		0.0	\$0.0	1,535.7	1,535.7
valley east t	0.0	0.0	0.0		0.0	\$0.0	8,266.9	8,266.9
walden t	0.0	0.0	0.0		0.0	\$0.0	1,940.8	1,940.8
					0.0	\$0.0	1,060.5	1,060.5

CAO-93-2.22

ASSESSMENT SERVICE COSTS

MMA CODE	MUNICIPALITY NAME	TOTAL ROLL ENTRIES	DISCOUNTED EQUALIZED ASSESSMENT	COST OF ASSESSMENT SERVICES		
				BASED ON ROLL ENTRIES	BASED ON DISCOUNTED ASSESSMENT	BASED ON 50/50 ROLL/DIS ASS
18601	WAINFLEET TOWNSHIP	5,467	141,673,893	121,997	48,630	85,314
18602	WEST LINCOLN TOWNSHIP	7,719	253,483,168	172,251	87,009	129,630
20000	<u>OTTAWA CARLETON R</u>					
20101	OTTAWA CITY	194,958	\$15,202,585,592	\$4,350,526	\$5,218,371	\$4,784,449
20102	VANIER CITY	11,889	475,804,985	265,305	163,323	214,314
20103	KANATA CITY	18,322	1,240,242,870	408,859	425,720	417,290
20104	NEPEAN CITY	52,102	3,837,675,409	1,162,666	1,317,303	1,239,985
20105	GLOUCESTER CITY	48,327	2,808,840,585	1,078,426	964,150	1,021,288
20502	ROCKCLIFFE PARK VILLAGE	953	164,146,021	21,266	56,344	38,805
20601	CUMBERLAND TOWNSHIP	19,725	848,086,374	440,167	291,110	365,639
20604	GOULBOURN TOWNSHIP	9,911	426,611,377	221,166	146,437	183,801
20610	OSGOODE TOWNSHIP	8,925	348,017,394	199,163	119,459	159,311
20612	RIDEAU TOWNSHIP	7,431	361,758,590	165,824	124,176	145,000
20613	WEST CARLETON TOWNSHIP	11,541	455,006,290	257,540	156,183	206,862
21000	<u>PEEL R</u>					
21101	BRAMPTON CITY	101,690	\$9,374,696,183	\$2,269,232	\$3,217,916	\$2,743,574
21102	MISSISSAUGA CITY	233,217	23,133,950,440	5,204,283	7,940,856	6,572,570
21401	CALEDON TOWN	21,582	1,475,318,952	481,607	506,411	494,009
23000	<u>SUDBURY R</u>					
23101	SUDBURY CITY	54,675	\$2,463,201,821	\$1,220,083	\$845,508	\$1,032,795
23401	CAPREOL TOWN	2,253	40,945,943	50,276	14,055	32,166
23402	NICKEL CENTRE TOWN	6,681	207,990,637	149,088	71,394	110,241
23403	ONAPING FALLS TOWN	3,399	119,155,581	75,849	40,901	58,375
23404	RAYSIDE BALFOUR TOWN	8,466	168,713,916	188,920	57,912	123,416
23405	VALLEY EAST TOWN	11,477	237,255,858	256,111	81,439	168,775
23406	WALDEN T	7,041	332,836,681	157,121	114,248	135,685
25000	<u>WATERLOO R</u>					
25101	CAMBRIDGE CITY	47,434	\$2,830,694,618	\$1,058,499	\$971,652	\$1,015,075
25102	KITCHENER CITY	89,341	5,058,776,514	1,993,662	1,736,453	1,865,057
25103	WATERLOO CITY	40,300	2,698,978,998	899,302	926,439	912,871
25601	NORTH DUMFRIES TWP	4,863	261,507,416	108,519	89,764	99,141
25602	WELLESLEY TOWNSHIP	4,914	219,574,256	109,657	75,370	92,513
25603	WILMOT TOWNSHIP	7,816	378,195,316	174,416	129,818	152,117
25604	WOOLWICH TOWNSHIP	10,239	656,226,727	228,485	225,253	226,869
27000	<u>YORK R</u>					
27101	VAUGHAN CITY	56,265	\$7,487,571,788	\$1,255,564	\$2,570,150	\$1,912,857
27401	AURORA TOWN	14,543	1,242,823,271	324,530	426,606	375,568
27402	MARKHAM TOWN	68,610	8,565,374,876	1,531,046	2,940,112	2,235,579
27403	NEWMARKET TOWN	23,589	1,691,809,188	526,393	580,723	553,558
27404	RICHMOND HILL TOWN	42,569	3,885,693,735	949,936	1,333,786	1,141,861
27406	WHITCHURCH-STOUFFVILLE TOWN	10,648	853,404,124	237,612	292,936	265,274
27407	EAST GWILLIMBURY TOWN	8,733	588,529,461	194,879	202,016	198,447
27408	GEORGINA TOWN	20,080	915,501,249	448,089	314,251	381,170
27603	KING TOWNSHIP	10,537	862,204,011	235,135	295,956	265,546

SUMMARY OF HIGHWAY TRANSFERS BY REGION

CAO-93-2.24

REGION	HWY. NO.	HWY. 2 LANE DIST	HWY. 2 LANE EQUIV.	LOCATION	CONNECTING LINK LOCATION	LINK 2 LANE DIST.	LINK EQUIV.	# OF HWY. LANES
PEEL	7	10.5	21.0	FROM HIGHWAY 410 TO HIGHWAY 50				4
PEEL	136	11.7	11.7	FROM HIGHWAY 24 TO ORANGEVILLE N. LIMIT	ORANGEVILLE	1.6	1.6	2
YORK/PEEL (RUNS ON BDRY)	50	1.0	2.0	FROM STEELES AVE TO HIGHWAY 7				4
TOTAL PEEL		22.2	34.7			1.6	1.6	
YORK	7	34.0	76.8	FROM HIGHWAY 50 TO HIGHWAY 48				45/6
YORK	7	6.3	6.4	FROM HIGHWAY 48 TO S. JCT. YORK/DURHAM BDRY				2/4
YORK	11	8.4	16.8	FROM STEELES AVE. TO RICHMOND HILL S. LIMIT				4
YORK	11	10.5	21.0	FROM RICHMOND HILL S. LIMIT TO AURORA S. LIMIT	RICHMOND HILL	2.1	3.2	4
YORK	11	14.2	28.4	FROM AURORA S. LIMIT TO BRADFORD S. LTS.	AURORA	3.3	6.7	4
YORK	27	2.1	4.2	FROM STEELES AVE. TO HIGHWAY 7				4
YORK	47	1.1	1.1	FROM HIGHWAY 48 TO WHITCHURCH-STOUFFVILLE N. LIMIT	WHITCHURCH-STOUFFVILLE	3.9	6.3	2
YORK	48	3.3	3.3	FROM STEELES AVE. TO MARKHAM N. LIMIT	MARKHAM	0.8	1.6	2
YORK/DURHAM (RUNS ON BDRY)	7	0.4	0.4	FROM S. JCT. TO N. JCT. OF YORK/DURHAM BDRY				2
YORK/PEEL (RUNS ON BDRY)	50	1.0	2.0	FROM STEELES AVE TO HIGHWAY 7				4
TOTAL YORK		81.3	162.4			10.1	17.8	
TOTAL ALL REGIONS		433	628.2			39.4	76.4	

INTERIM SERVICE AGREEMENT

1.0 PREAMBLE

The Province of Ontario and Municipalities agree that Ontario will assume 100% of the costs of General Welfare Act (GWA) *allowances* effective January 1, 1994. The intent of the Interim Service Agreement is to affirm that the Province and Municipality have a shared interest and mutual obligation to provide high quality service to consumers of the GWA program.

The Interim Service Agreement will:

- ◆ provide a declaration of mutual obligations and shared responsibilities
- ◆ affirm adherence to the minimum requirements for service delivery as currently prescribed, including an agreement to institute approved practices for monitoring and auditing the program
- ◆ ensure a commitment by the Province to support Municipalities in their efforts to sustain service levels and meet service delivery requirements

2.0 TIMEFRAME

The Interim Service Agreement will be effective from January 1, 1994 until such time as it is no longer applies as a result of the implementation of new income maintenance legislation in any municipality or until it is replaced by a new Agreement upon consent of both parties.

3.0 PROGRAMS COVERED BY THIS INTERIM SERVICE AGREEMENT

The Agreement will outline the parties commitment to protect the levels of service and administration within the General Welfare Assistance Act. Specifically, this Agreement will include the items, benefits and services provided by way of:

- ◆ General Welfare Allowances
- ◆ Special Assistance (not subject to 100% provincial funding)
- ◆ Supplementary Aid (not subject to 100% provincial funding)

4.0 ADMINISTRATION

The Province and Municipalities recognize that available resources impact on the ability of both parties to meet the obligations and responsibilities of service provision.

5.0 THE PROVINCE

5.1 The Province will to the extent possible:

- (i) provide funding for cost of administration to support the delivery of the program;
- (ii) continue to seek the advice of municipalities on program changes and implementation;
- (iii) ensure that municipalities are informed and updated through timely distribution of Directives, Guidelines and Regulation amendments

6.0 THE MUNICIPALITY

6.1 The Municipality will to the extent possible:

- (i) provide funding for cost of administration to support the delivery of the program;
- (ii) maintain management staffing structures and processes which promote effective delivery, serve the needs of consumers and respond to changes in a timely and efficient manner;
- (iii) serve the needs of consumers by maintaining or improving the levels of service provided through Special Assistance, Supplementary Aid and Hostel Services;
- (iv) deliver the programs in accordance with the GWA Act, Regulation and directives from the Director whose provisions may change from time to time.

This Agreement has been signed on behalf of the Government of Ontario by the Minister, Ministry of Community and Social Services and on behalf of the Municipality by the Chairman and the Clerk of the Corporation who has affixed its corporate seal hereto.

SERVICES AND ITEMS COVERED BY THIS AGREEMENT

The Province and Municipality agree that the following services and items will be covered by the terms of this Agreement:

GENERAL WELFARE ALLOWANCE: *(100% provincial funding- 1/1/94)***(i) Basic Needs Allowance**

this allowance covers food, shelter, clothing, incidentals and non-shelter items

(ii) Basic Shelter Allowance

a flat rate allowance for shelter based on the number of persons in the family

(iii) Variable Shelter Allowance

this allowance is granted if the total accommodation costs exceed the Basic Shelter Allowance. It is payable in addition to the Basic Shelter Allowance up to a maximum amount.

(iv) Back To School Allowance

paid to consumers who have dependent children to assist with the costs of starting or returning to school

(v) Winter Clothing Allowance

paid in November of each year for eligible dependents under age 21 to assist with clothing needs

(vi) Community Start-Up Allowance

paid to consumers who are establishing new, permanent residences in the community.

(vii) Employment Start-Up Benefits

paid to consumers who are starting or changing employment or training programs.

(viii) Child Care Start-Up Costs

paid to consumers who are starting or changing employment or training programs and who have initial child care costs

(ix) Pregnancy Allowance

paid to eligible consumers for any six month prior or after the birth of a child

(x) Special Diets

paid to consumers to cover the costs of special diets as approved by a physician

(xi) Foster Care

paid to persons caring for a child under age 16 where the child is not their natural child, adopted or a ward of the Children's Aid Society

(xii) Extended Health Allowance

provides for extended health coverage to employed consumers who would otherwise be ineligible for assistance

(xiii) Special Necessities

paid to consumers for Diabetic Supplies, Surgical Supplies and Dressings and Travel and Transportation required for medical treatment

(xiv) Hostels

payment of a per diem to cover the cost of board and lodging in a hostel that is either maintained by the Municipality or an organization approved by the Municipality or Province

(xv) Personal Needs Allowance

paid to consumers of social assistance who are residents of Hostels, Nursing Homes and Hospitals

SPECIAL ASSISTANCE: *(cost share remains 50:50)*

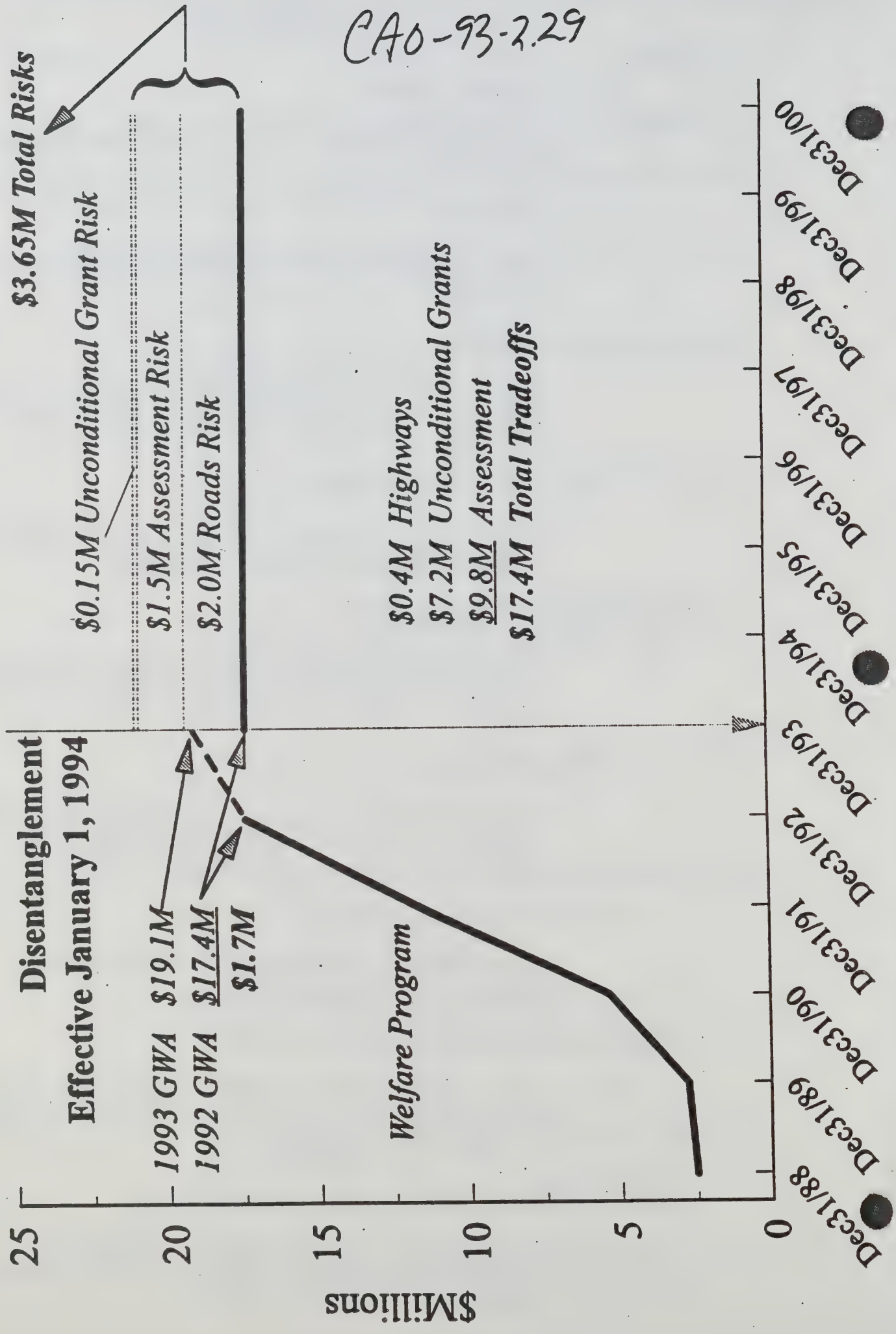
- (i) paid to consumers of General Welfare Assistance and others on a discretionary basis for items and services in addition to items (i) through (xv) as listed above.

SUPPLEMENTARY AID: *(cost share remains 80:20)*

- (i) paid to consumers of other governmental benefits on a discretionary basis for items and services in addition to items (i) through (xv) as listed above.

Disentanglement Tradeoff Analysis

CAO-93-2.29



12(a.)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 2

REPORT TO: Susan K. Reeder
Secretary

FROM: J. J. Schatz
City Clerk

SUBJECT: To Amend By-Law 79-144 Respecting Class "H" Adult
Entertainment Parlours

RECOMMENDATION:

That the City Solicitor be authorized and directed to amend Adult Entertainment Parlour By-law 79-144 to provide for the following:

- (a) To reduce the number of Class "H" Adult Entertainment Parlour licences from eight (8) to four (4);
- (b) To apply the current by-law restrictions on Adult Entertainment Parlours locating near residential and other prohibited areas to any location which has ceased to be used as a Class "H" Adult Entertainment Parlour;
- (c) To reduce the total number of Class "H" Adult Entertainment Parlours from four (4) to two (2) as the licences expire without renewal by the licence holder or as the licences are surrendered or lawfully revoked and.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

On May 8, 1979, City Council passed By-law 79-144 to license Adult Entertainment Parlours. A Class "H" licence is required for places holding performances which are designed to appeal to erotic or sexual appetites or inclinations. Since its inception, the By-law was amended in 1985 and 1987 to reduce the number of Adult Entertainment licences from ten (10) to eight (8). These numbers were reduced by by-law amendment as these two licences were not renewed.

Presently, there are only four (4) licensed Class "H" Adult Entertainment Parlours operating in the City of Hamilton. There are now four (4) additional licences available because of business closures and changes. These premises were located at 1545 Upper James Street, 229 Kenilworth Avenue North, 421 Sherman Avenue North and 54 King Street East. Subject to Zoning changes, these four previously licensed locations could be licensed through a transfer or issuance. Recommendation (b) will prevent these locations from being relicensed as Class "H" Adult Entertainment Parlours.

The fee for a Class "H" licence is currently \$4000.00. The transfer of existing licences is permitted, subject to provisions of the By-law. The number of licences cannot be reduced to one or zero because the municipality cannot create a monopoly or prohibit business through licensing by-laws.

c.c Patrice Noe Johnson, City Solicitor



The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend By-law 79-144 Respecting:

CLASS "H" ADULT ENTERTAINMENT PARLOUR LICENCES

WHEREAS the Corporation of the City of Hamilton enacted By-law 79-144 to licence Adult Entertainment Parlours;

AND WHEREAS it is desirable to reduce the number of available Class "H" licences and provide for further reduction of the number of Class "H" licences;

AND WHEREAS it is desirable to apply the restrictions on locating near residential and other prohibited areas to any location previously used as a Class "H" adult entertainment parlour;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law 79-144, as amended in By-laws 87-323 and 88-68, is hereby further amended as follows:

(a) Subsection 2(1) of By-law 79-144, as amended in By-laws 87-323 and 88-68, is further amended by deleting from the beginning of the subsection, the words "Subject to subsections 3, 4, and 4a".

(b) Subsections 2(4) and (5) of By-law 79-144, as added by By-law 87-323 and amended in By-law 88-68, are repealed and replaced with the following:

"(4) No person shall operate a Class "H" adult entertainment parlour in a permitted area unless:

(a) The Class "H" adult entertainment parlour is located on a lot having a minimum radial separation distance of 500 metres from the lot line to the lot line of every lot in an area listed in Schedule 4, or to the lot line of every lot in any residential district as provided and described in Zoning By-law No. 6593 as amended, or

(b) The Class "H" adult entertainment parlour is licensed and in operation on the day that this subsection comes into force and effect and so long as it continues to be so licensed."

"(5) Subject to (6), the total number of Class "H" licences to be granted under this by-law is 4."

(c) Section 2 of By-law 79-144 is further amended by adding the following at the end of section 2, as subsection (6):

"(6) The total number of Class "H" licences to be granted under this by-law shall be reduced from 4, as Class "H" licences expire without renewal by the licence holder or as the licences are otherwise surrendered or lawfully revoked, until the number of licences is reduced to 2."

2. In all other respects By-law 79-144 as amended is confirmed without change.

3. This By-law comes into force and effect on the date of enactment.

PASSED this day of A.D. 1993.

City Clerk

Mayor

12 (b.)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 2

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. Schatz
City Clerk

SUBJECT: F.C.M. Conference - 1993 May 28 - 31.

RECOMMENDATION:

That the Mayor and a maximum of six (6) Aldermen be authorized to attend the 56th Annual Conference of the Federation of Canadian Municipalities to be held in Edmonton, Alberta, 1993 May 28 - 31.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Approximately \$1,700. per person. Funding available in the Legislative Travelling Account.

BACKGROUND:

The above recommendation is consistent with the approved recommendation for attendance at previous Conferences.

The City of Hamilton is entitled to have seven (7) voting Delegates at this Conference.

Members of City Council who would like to be considered as a Delegate are asked to advise the Secretary, Susan K. Reeder, as soon as possible in order that flight reservations, accommodations and registrations can be made as soon as possible. The registration deadline is 1993 April 30th.

In the event that more than six (6) Aldermen are interested in attending this Conference, attendance has traditionally been determined by "lot" by the Finance and Administration Committee.

SKR/dbm

13.

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 5

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D.W. Vyce, Director of Property
B. Sugden, Director, Culture and Recreation
A. Ross, Treasurer
T. Bradley, Manager of Purchasing

SUBJECT: Huntington Park Recreation Centre, Renovation and
- Addition, AD 87-032, Account No. CF 70914106

RECOMMENDATION:

- (a) That approval be given to amend the Construction Contract pertaining to the Huntington Park Recreation Centre between the City of Hamilton and Valee-Way General Contractors Ltd. from \$2,492,400.00 + GST to \$2,778,400.00 + GST to allow the City to renovate additional building elements as authorized by City Council on June 30, 1992.
- (b) That approval be given to amend the Consultant Contract between the City of Hamilton and Chamberlain Architect from \$222,308.50 + GST to \$233,908.50 + GST for extra services as result of the additional renovations in (a) above.
- c) That the total project cost approved by Council January 29, 1991 be increased from \$3,200,000.00 to \$3,385,000.00 to cover the Architectural Division estimated charges to the end of warranty period in 1995.

- d) That the City Treasurer be authorized to reduce the debenture approval (Net City Financing) from the original amount of \$3,200,000.00 to \$3,075,000.00
- e) That the amendments to the contracts, satisfactory to the City Solicitor, be executed.
- f) That the Mayor and the City Clerk initiate the amendments to the Contract on behalf of the City.


D. W. Vyce, Director of Property


B. Sugden, Director of Culture & Recreation


A. Ross, City Treasurer


T. Bradley, Manager of Purchasing

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

1. The City is expecting to receive \$310,000 from the Province of Ontario out of which \$155,000 had been received in 1992. Even though the gross authorized cost has increased from \$3,200,000.00 to \$3,385,000.00, the City's net financing cost is reduced from \$3,200,000.00 (January 29, 1991) to \$3,075,000 due to the receipt of the Provincial subsidy.
2. The increase in the contract will fall within the revised authorization and funds are available in Account CF 5200-709141016.
3. It should, however, be noted that City Council approved additional funding of \$100,000 for Huntington Park Wading Pool Conversions and \$115,000 for Huntington Park Development program in January 29, 1992 beyond this revised gross cost of \$3,385,000.

BACKGROUND:

1. The City Council had approved a total project Capital Budget of \$3,200,000.00 on January 29, 1991.
2. The City Council had approved entering into a contract with Valee-Way General Contractors Ltd. as the lowest bidder to the amount of \$2,641,000.00 (\$2,492,400.00 + GST) on June 30, 1992.
3. The project is presently under construction and on schedule.
4. The additional \$286,000.00 will be used as authorized by Council on June 30, 1992, resolution attached, under Recommendation Item (b).
5. The items on which the monies will be expended are:

.1	Replace all mechanical and electrical systems in the existing building with new. (Functional requirement).	\$ 30,000.00
.2	Replace finishes, fixtures, plumbing and electrical in existing washrooms. (Functional requirement).	\$ 20,000.00
.3	Add new ventilation systems for existing gymnasium (Functional requirement).	\$ 40,000.00
.4	Water slide. (Programming requirement.)	\$110,000.00
.5	Parking lot modifications (Safety/community requirement)	\$ 80,000.00
.6	Miscellaneous items	<u>\$ 6,000.00</u>
TOTAL		<u>\$286,000.00</u>

6. Capitalization Cost of Architect Division of Property Department

During 1991 Current Budget approval process, City Council authorized distribution of the cost of the Architectural Division of Property Department to various capital projects to eliminate the impact of mill rate increase. In 1991, the Architectural Division's cost of \$463,830 was distributed to various capital projects and no funding was required out of 1991 Current Budget.

The Huntington Park Renovation and retrofit project does not have any provisions for the capitalization cost of the Architectural Division and requires an additional funding of \$185,000 to absorb the cost of the project management by the Architectural Division.

Please note that the Property Department is in the process of revising authorized cost of all other capital projects which does not include Capitalization cost of the Architectural Division and these would be forwarded to Finance and Administration Committee for consideration shortly.

HK:smg

- c.c. Alderman D. Ross, Alderman, Ward 8
Alderman T. Jackson, Alderman Ward 6
Alderman B. Charters, Alderman Ward 6
J. Pavelka, Chief Administrative Officer
A. Ross, Treasurer
P. Noé Johnson, City Solicitor
P. Hooker, Manager of Legal Services, Law Department
B. Chrystian, Manager of Parks
R. E. Martiniuk, Manager of Architectural Division
C. Secore, Manager of Planning, Culture and Recreation Department
H. Kayal, Project Manager, Architectural Division

Hand Kuyal

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1992 June 18

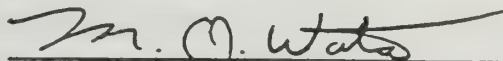
REPORT TO: K. Christenson, Secretary
Parks and Recreation Committee

FROM: D.W. Vyce, Director of Property
B. Sugden, Director, Culture and Recreation
T. Bradley, Manager of Purchasing

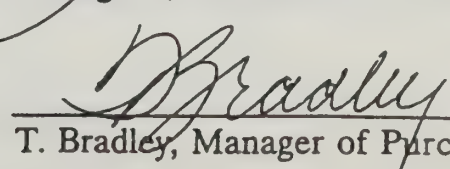
SUBJECT: Huntington Park Recreation Centre, Renovation and
Addition, AD 87-032

RECOMMENDATION:

- (a) That approval be given to enter into contract with Valee-Way General Contractors of Concord, Ontario as the General Contractor for the Huntington Park Recreation Centre, Renovation and Addition. The Contract amount will be Two Million Four Hundred and Ninety-Two Thousand, Four Hundred dollars (\$2,492,400.00) plus applicable GST to a Total of Two Million Six Hundred and Forty-One Thousand Dollars (\$2,641,000.00)
- (b) That the project team be authorised to include additional renovation elements (listed as Item 8 in the Background Section below) to the existing building. These additional renovations will fall within the total approved project budget.
- (c) That a contract satisfactory to the City Solicitor be entered into between the City and the General Contractor, Valee-Way General Contractors of Concord Ontario.
- (d) That the Mayor and the City Clerk execute the Contract on behalf of the City.


D. W. Vyce, Director of Property


B. Sugden, Director of Culture and Recreation


T. Bradley, Manager of Purchasing

Approved
by Council
in Report - P&R
June 30/92

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

1.	Construction base bid cost incl. Bid Bond & Insurance	\$ 2,325,000.00
2.	Alternate prices	\$ 51,600.00
3.	Cash Allowances	
	a. Hardware, Testing and Plaque	\$ 40,800.00
	b. Construction Allowance	\$ <u>75,000.00</u>
4.	Total	\$ 2,492,400.00
5.	GST *	\$ <u>148,600.00</u>
6.	Total Contract Amount	\$ <u>2,641,000.00</u>

NOTES:

1. Funds are available in Account CF 5200 709141016.
2. The project falls under the Input Tax Credit (ITC) category, therefore the GST is 100% refundable and does not influence the cash flow of the project.

BACKGROUND:

1. The City Council had approved a total Project Capital Budget of \$3,200,000.00 on January 29, 1991. The tender amount is within the allocated budget.
2. Tender Calls were advertised in the Hamilton Spectator (2 days) and the Daily Commercial News (1 day). The project received overwhelming interest and a total of 85 sets of Tender Documents were distributed to 33 General Contractors and 38 Sub-trades.

3. Sixteen (16) acceptable General Contractor bids were received by the City Clerk's Department on June 16, 1992.

The submissions, including GST, were as follows:

	Base Bid	**Bid plus Alternate Prices
1. Valee Way General Cont., Concord	\$2,586,000.00	\$2,641,000.00
2. Gregman Const. Ltd., Mississauga . .	\$2,715,000.00	\$2,779,200.00
3. RYCO, Hamilton	\$2,761,403.00	\$2,809,453.00
4. Kemp Construction, Hamilton	\$2,790,560.00	\$2,843,560.00
5. Demik Construction Ltd., Hamilton .	\$2,822,339.00	\$2,876,119.00
6. Martin Stewart Cont., Hamilton . . .	\$2,827,063.00	\$2,882,963.00
7. Ira McDonald Const., Burlington . . .	\$2,828,000.00	\$2,856,598.00
8. Frid Construction, Hamilton	\$2,849,000.00	\$2,897,000.00
9. Arosan Enterprises Ltd. Scarborough	\$2,871,000.00	\$2,929,500.00
10. Big H Construction, Toronto	\$2,872,950.00	\$2,933,007.00
11. G.S. Wark Ltd., Hamilton	\$2,878,300.00	\$2,929,800.00
12. Bestco, Hamilton	\$2,895,362.00	\$2,953,062.00
13. T. R. Hinan Contractors, Fonthill . .	\$2,912,540.00	\$2,966,040.00
14. Newman Bros. Ltd., St. Catharines .	\$2,936,810.00	\$2,982,570.00
15. Pre-Engineering Contr., Concord . . .	\$3,049,000.00	\$3,095,700.00
16. Enersave Construction, Maple	\$3,300,000.00	\$3,566,000.00

** The alternate prices from Valee Way General Contractors which were competitively priced are:

1. Substitute vinyl tile with ceramic floor tile in the new addition and the corridors of the existing building, \$20,000.00.
2. Substitute rubber sheet flooring with gymnastic 90 sport floor for multi-purpose room, \$12,000.00.
3. Revise interior exposed masonry from full faced concrete block to single vertical concrete block, \$15,000.00.
4. Add electrically operated divider curtain in multi-purpose room, \$8,000.00.

Total alternate prices including GST \$55,000.00.

BACKGROUND Cont.

4. List of Additional Renovation Elements:

The renovation of the existing building was limited in the design phase due to a conservative estimating approach. As the tender price is below the estimate, the following list of additional renovation elements should be considered for its impact on the operation and longevity of the facility:

1. Replace all mechanical and electrical systems in the existing building with new,
2. Replace finishes, fixtures, plumbing and electrical in existing washrooms,
3. Increase parking area lighting (safety).
4. Add new ventilation system for existing gymnasium, and
5. Landscaping.
6. Waterslide.

c.c. Alderman T. Jackson, Alderman Ward 6
Alderman B. Charters, Alderman Ward 6
J. Pavelka, CAO
A. Ross, Treasurer
P. Noe Johnson, City Solicitor
P. Hooker, Manager of Legal Services, Law Department
R. E. Martiniuk, Manager of Architectural Division
C. Secore, Manager of Planning
H. Kayal, Project Manager

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Urban/Municipal Librarian
Public Library
2nd Floor

NOTICE OF MEETING


FINANCE AND ADMINISTRATION COMMITTEE

Thursday, 1993 April 22nd
9:30 o'clock a.m.
Room 233, City Hall

URBAN MUNICIPAL

APR - 1993

GOVERNMENT DOCUMENTS


Susan K. Reeder
Secretary

Note: Delegations will be heard
at 10:30 o'clock a.m.

A G E N D A

1. PRESENTATION

English Language Sub-Committee. (no copy)

2. CONSENT AGENDA

3. DIRECTOR OF PROPERTY, FIRE CHIEF, MANAGER OF PURCHASING
DIVISION

Contractor Selection for Fire Station 4, Macassa Park.

4. GRANTS GRANDFATHER TASK FORCE

Grant Classifications and Alternative Sources of Funding. (previously tabled)

5. TREASURER

(a) Information Report - Claims for Mileage Expenses.

(b) Insurance and Risk Management Report - Armour Riley Inc.

6. CORRESPONDENCE

Football Hall of Fame and Museum Management Committee - City of Hamilton Parade Float for the 1993 Grey Cup.

7. CHIEF ADMINISTRATIVE OFFICER AND GENERAL MANAGER, HOUSING DEPARTMENT

Information Report - The City's continuing Role in Non-Profit Housing. (tabled from the last meeting)

10:30 O'CLOCK A.M. - DELEGATIONS

8. BOARDS OF EDUCATION - 1993 LEVY REQUIREMENTS

- (a) The Hamilton-Wentworth Roman Catholic Separate School Board.
- (b) The Board of Education for the City of Hamilton.
- (c) Treasurer - Approval of the 1993 Mill Rates and Tax Levy By-laws. (report to follow)

9. COMPLAINT - DEVELOPMENT CHARGES ACT

Silverton Avenue Subdivision - Joe DiCienzo, representing 712176 Ontario Limited.

10. IN CAMERA AGENDA

11. OTHER BUSINESS

12. ADJOURNMENT

OUTSTANDING ITEMS
FINANCE AND ADMINISTRATION COMMITTEE

<u>ITEM</u>	<u>DATE REQUESTED</u>	<u>ACTION BY</u>	<u>REPORT DUE BY</u>
1. (a) Policy to exempt Parking Authority from realty and business tax.	1990 February 23 & 1990 March 22	Treasurer	
(b) Examine feasibility of directing the net revenue from parking fines into the Reserve Account.	1990 March 22	Treasurer	
2. Rationale of Development Charges on 84 Birmingham Street.	1992 April 9	Building	
3. Additional Proposed Development Charges Amendments.	1992 April 23	Building	
4. Commonwealth Plaza Lighting.	1992 June 25	Property	
5. Report on procedures to be used in regulating the sale of merchandise by charitable and non-profit groups.	1992 December 3	City Clerk	

OUTSTANDING ITEMS

FINANCE AND ADMINISTRATION COMMITTEE

PAGE 2

ITEM	DATE REQUESTED	ACTION BY	REPORT DUE BY
6. Report on overview of all types of licences issued and fees for Committees consideration of rationale.	1992 December 3	City Clerk	1993 June 24 meeting
7. For the 1993 February meeting, a discussion paper will be presented by the Licence Division on a revised Taxicab By-law.	1992 December 3	City Clerk	going first to Taxi Advisory Committee
8. City Hall Grounds Study - being reviewed by interest groups for input.	1993 January 21	Arts Co-Ordinator	
9. Report - Partnership Agreements at the Hamilton Farmers' Market.	1993 January 21	City Solicitor	
10. Review of request by Junior Achievement to utilize vacant space at the Kenilworth Avenue Police Station.	1993 February 18	Chief Administrative Officer	
11. Report - Ad Hoc Committee on Tobacco Control Policy forwarded from Regional Council.	1993 February 18	City Clerk, Solicitor	
12. Women's Safety Audit Project Report - Chief Administrative Officer to meet with the Status of Women Sub-Committee and staff and report back on the implementation procedures.	1993 March 25	Chief Administrative Officer	
13. Report back - Ad Hoc Street Vendors Task Force.	1993 March 25	City Clerk	
14. Report back - Draft resolution for submission to A.M.O. respecting permissive legislation for the extension of hours of operation for licensed restaurants and bars.	1993 April 8	City Solicitor	
15. Report back - Ad Hoc Group established to review the Proposed Policy on Displays in City Hall.	1993 April 8	Ad Hoc Group (Alderman Copps, Alderman Agostino, Alderman Ross)	

1993 April 22

FINANCE AND ADMINISTRATION COMMITTEE

THURSDAY, 1993 APRIL 22ND

CONSENT AGENDA

A. ADOPTION OF THE MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

Minutes of the meeting held Thursday, 1993 April 8th.

B. CITY SOLICITOR

Amendment to Market By-law No. 92-310 respecting Temporary Stallholder Signage.

C. CITY CLERK

Use of Facilities - Sri Chinmoy Oneness Peace Run.

D. TREASURER

(i) B.I.A. Levy By-laws.

(ii) Information Report - Legislative Vehicles.

E. DIRECTOR OF PROPERTY

Lease Agreement - Greendale Day Nursery Ltd., 44 Greendale Drive.

F. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE

Information Items.

Thursday, 1993 April 8
9:30 o'clock a.m.
Room 233, City Hall

The Finance and Administration Committee met.

There were present: Alderman D. Ross, Chairperson
Alderman B. Charters, Vice-Chairperson
Mayor Robert M. Morrow
Alderman T. Cooke
Alderman V. Agro
Alderman T. Anderson
Alderman G. Copps
Alderman D. Agostino

A.

Regrets: Alderman D. Drury - Vacation

Also present: Alderman T. Jackson
Alderman F. Eisenberger
Alderman M. Kiss
Alderman F. D'Amico
J. Pavelka, Chief Administrative Officer
A. Ross, Treasurer
P. Barkwell, Law Department
D. Vyce, Director of Property
R. Sabo, Law Department
J. Schatz, City Clerk
S. Dembe, Manager of Licencing
J. Johnston, Commissioner of Human Resources
M. Mascarenhas, General Manager, Housing Department
D. Carson, Mayor's Office
K. Beattie, Grants Co-Ordinator
T. Bradley, Purchasing Department
J. Thompson, City Clerk's Office
Susan K. Reeder, Secretary

The Chairperson indicated to the Committee that a Special City Council meeting is being arranged to be held at 11:00 o'clock a.m. for the purpose of approving the inclusion of a portion of the Consolidated Licensing By-law, which was inadvertently omitted when this particular By-law was approved at the last City Council meeting.

A G E N D A

1. DELEGATION - Mr. Gary R. Fair, Blue Moon Adult Video Store - requesting inclusion in By-law 93-045, governing Adult Video Stores.

Mr. Gary Fair, Owner, Mr. Ken Loyst, Associate, and Mr. David Thompson, Lawyer, were in attendance to speak to the Committee with respect to their request.

It was confirmed that this initial meeting session was not a hearing but rather a delegation.

Mr. Thompson requested that the meeting be moved to an In-Camera session, in order that he could present evidence of a Private and Confidential nature to substantiate their request. Discussion ensued with respect this matter and it was agreed, that as this is a very public issue, that moving In-Camera was not required and the Chairperson cautioned Mr. Thompson to hold back on any evidence which is of a Private and Confidential nature.

Mr. David Thompson, Lawyer for Blue Moon Adult Video Store, indicated that the Adult Video Store By-law is flawed because Blue Moon was in business at the time of the enactment of this By-law, and was not included as such in the Grandfathering portion of the By-law. Mr. Thompson then outlined that lease arrangements were made by Mr. Fair with the Mall in January of 1993, and Hydro arrangements made as well in January of 1993, and a Vendor's Permit granted on 1993 February 1, as well as a Zoning Verification obtained. Mr. Thompson further added that Mr. Fair had made inquiries to the Licencing Section on requirements for an Adult Video Store and was told that he did not need anything further than a Licence. Mr. Thompson indicated that the City has since refunded Mr. Fair's Licencing Application Fee.

Mr. Thompson further stated that it is his view that if the City does not make this amendment to include Blue Moon, that at the Court level there is a possibility that the Court would squash the entire City of Hamilton Adult Video Store By-law as being discriminatory.

General discussion then ensued with the representatives from Blue Moon and the Clerk's staff respecting the information given to them by the Licencing Counter staff.

Further to a staff inquiry by Alderman Charters, it was clarified that the City of Hamilton Adult Video Store By-law does not allow for "intent to open" but rather "what is opened".

The Chairperson requested that Blue Moon submit whatever documentation they have which would have been presented at the In-Camera meeting to the City Solicitor for a report back for the next meeting.

The Chairperson also recognized a number of persons in the meeting who also wished to speak briefly on this matter.

Ms. Cleda Yachetti, Canadians for Positive Community Standards, indicated that she and her organization are distressed that Blue Moon is being considered for inclusion in the By-law. She feels that the information they are being presenting with is hearsay only and does not feel it is substantial evidence to warrant them being included in the By-law. She added that they are concerned at the location being close to schools and also cited a recent Oklahoma Study on the Effects of Pornography. She stressed that locations of these stores must be confined.

It was clarified to Ms. Yachetti by the Chairperson that the issue before the Committee was not one of whether the City wished to have this business open but rather whether legally they were open prior to the enactment of the By-law and thus legally should be included in the By-law.

Judy Smith, a Ward 6 representative, was in attendance and submitted a petition of approximately 400 names from the community who are opposed to this business being allowed to operate in their area.

The Committee then agreed to move In-Camera to request advice from the City Solicitor on this matter.

The Committee then moved back into Regular session and it was agreed that the Committee would take under advisement all of the information previously given to them on this issue and directed that the Blue Moon representatives forward documentation to the City Solicitor for review of evidence with a direction that the City Solicitor report back to the Finance and Administration Committee at its next meeting.

2. PRESENTATION - Human Resources.

The Committee agreed to table this presentation to the next meeting.

3. ALDERMAN D. ROSS - Clarification amendments to the Finance and Administration Committee recommendation respecting the re-appointment of the Chief Administrative Officer and Director of Public Works and the Advertising for a City of Hamilton Chief Administrative Officer.

The Committee was in receipt of a memorandum from the Chairperson of the Finance and Administration Committee dated 1993 March 31, respecting the above noted matter. Some discussion ensued with respect to this and it was agreed that the recommendation should reflect that the hiring for a Chief Administrative Officer is for the City of Hamilton as well as the positions of Director of Public Works and Chief Administration Officer be reflected as re-appointments rather than appointments.

The Committee was also in receipt of a report from the Commissioner of Human Resources dated 1993 April 5, respecting the hiring of a Chief Administrative Officer (Agenda Item #4 (a)).

In accordance with the above noted recommendation, the Committee appointed a Selection Committee as contained within the following recommendation respecting the above referenced items:

- (a) That Mr. J. Pavelka, Director of Public Works, be re-appointed Chief Administrative Officer for the period 1993 June 1 through 1993 December 31 within the salary range "A" and that the City Solicitor be authorized and directed to amend the necessary by-laws and that Mr. J. Pavelka be re-appointed as Director of Public Works, effective 1994 January 1; and,
- (b) That Mr. D. Lobo, Manager of Streets and Sanitation, be re-appointed as Director of Public Works for the period 1993 June 1 through 1993 December 31 within the salary range "B" and that effective 1994 January 1 be re-appointed as Manager of Streets and Sanitation; and,
- (c) That the process of advertising for a City of Hamilton Chief Administrative Officer commence immediately; and,
- (d) For the information of the members of City Council, the Finance and Administration Committee, in accordance with approved policy procedures, have appointed a Selection Committee for a City of Hamilton Chief Administrative Officer consisting of the following:
 - (i) Mayor Robert M. Morrow
 - (ii) Alderman D. Ross, Chairperson of the Finance and Administration Committee
 - (iii) Alderman B. Charters, Vice-Chairperson of the Finance and Administration Committee
 - (iv) Alderman G. Copps
 - (v) Alderman D. Agostino
- (e) That the Terms of Reference for One-Tier Administration be tabled within 30 days and a Consultant hired within 60 days.

4. COMMISSIONER OF HUMAN RESOURCES

(b) Student - Summer Hires.

The Committee was in receipt of a report from the Commissioner of Human Resources dated 1993 April 5, respecting the above noted matter and approved the following:

That the Corporation of the City of Hamilton adopt a policy of giving preference for summer employment to social assistance recipients (50% of hires) in 1993.

5. ALDERMAN V. AGRO

(a) Correspondence - The Sheraton Hamilton Hotel - Hours of Operation - licensing of Restaurants and Bars.

The Committee was in receipt of correspondence forwarded to them from Alderman Agro from Jim Awad, General Manager of the Sheraton Hamilton Hotel, dated 1993 February 5, addressed to the President of the Ontario Hotel and Motel Association expressing concerns regarding the licensing of Restaurants and Bars throughout Ontario with reference to the hours of operation.

Alderman Agro spoke to this and indicated that presently the legislation requires that Restaurants and Bars must be closed by 1:00 o'clock a.m., whereas across the Border from Ottawa to Hull, as well as from Niagara to Buffalo hours of operation for drinking extend past the hour of 1:00 o'clock a.m. Mr. Awad suggests that a change is long overdue and Bars and Restaurants should be allowed to stay open until 2:00 o'clock a.m., at least for the week-ends when people tend to go out more.

Following discussion, it was agreed that this matter be referred to the City Solicitor to prepare an appropriate resolution to be forwarded to the A.M.O. for consideration of requesting the Province to extend hours of operation of Restaurants and Bars by enacting enabling legislation to municipalities to allow them to extend hours of operation in Restaurants and Bars in designated areas of their determination within Ontario municipalities.

(b) Aldermen charging Mileage while on City Business.

The Committee was in receipt of correspondence from Alderman Agro dated 1993 March 11, requesting that the issue of Aldermen charging mileage while on City Business be placed on the Agenda. Alderman Agro spoke to this issue and requested that a policy be adopted where no Aldermen be allowed to charge mileage while travelling within the City on City Business.

Discussion then ensued with respect to this request, and some mention was made of time-frames being put in place for claiming of mileage, i.e. within 30 days of costs being incurred to substitute for the present legislation which reflects claimage of mileage with "timely" requirements reflected.

Following further discussion, it was agreed that this matter be referred to staff to investigate the legislation that would be required to be amended for presentation back to the Finance and Administration Committee for consideration.

6. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda and the following items were approved:

A. ADOPTION OF THE MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the minutes of its regular meeting held Thursday, 1993 March 25th and minutes of its Special Meetings held Tuesday, 1993 March 30th (two sets), and approved these minutes as circulated.

B. CITY SOLICITOR - By-law to authorize a Change in the Project Cost for a Senior Citizen's Centre at Sackville Hill Memorial Park.

The Committee was in receipt of a report from the City Solicitor respecting the above noted matter and approved the forwarding of the above-referenced Bill to City Council for approval.

C. THE PARKING AUTHORITY OF THE CITY OF HAMILTON - Purchase of Automotive Equipment.

The Committee was in receipt of a report from the General Manager of the Parking Authority of the City of Hamilton dated 1993 March 29, respecting the above noted matter and approved the following:

That the Parking Authority be authorized to purchase one 3/4 Ton Van as a replacement to an existing 1980 1/2 Ton Pick-up Truck at an approximate cost of \$18,000. Funds are available within the Parking Authority Vehicle Depreciation Account.

D. CITY CLERK

(i) Use of City Hall Forecourt - 1993 Canusa Games Closing Ceremonies.

The Committee was in receipt of a report from the City Clerk dated 1993 March 25, respecting the above noted matter and approved the following:

- (a) That approval be given to the request of the Canusa Games Board of Directors to use the City Hall Forecourt and have access to the first floor washrooms on Sunday, 1993 August 8, from 9:00 a.m. to 12:00 noon, for the purposes of holding the 1993 Canusa Games Closing Ceremonies; and,
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

(ii) Use of Council Chamber - Culture and Recreation Department - Community Services Marketplace.

The Committee was in receipt of a report from the City Clerk dated 1993 March 25, respecting the above noted matter and approved the following:

- (a) That the Culture and Recreation Department be granted approval to use the Council Chamber as follows:

- (i) Wednesday, 1993 April 28, from 6:30 - 10:00 p.m., for a Community Services Marketplace; and,
- (ii) Wednesday, 1993 November 24, from 6:30 - 10:00 p.m., for an Information Meeting.
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
- (iii) Use of Council Chamber - Ontario Building Officials Association Chapter Meeting.

The Committee was in receipt of a report from the City Clerk dated 1993 March 24, respecting the above noted matter and approved the following:

- (a) That approval be given to the action taken by the City Clerk in authorizing the use of the Council Chambers by the Niagara Chapter of the Ontario Building Officials Association to hold its March monthly chapter meeting on Thursday, 1993 March 25, from 7:30 - 10:30 p.m.; and,
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
- (iv) Use of City Hall Forecourt - Hamilton Area March for Jesus.

The Committee was in receipt of a report from the City Clerk dated 1993 March 24, respecting the above noted matter and approved the following:

- (a) That approval be given to the request of the Hamilton Area March for Jesus Co-ordinating Committee to use the City Hall forecourt and related equipment on Saturday, 1993 April 17 at 11:00 a.m., for a concert of praise; and,
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
- (v) Boy Scout and Girl Guide Annual Parade.

The Committee was in receipt of a report from the City Clerk dated 1993 April 2, respecting the above noted matter and approved the following:

- (a) That the Manager, Property Maintenance Division, be authorized and directed to erect a reviewing stand and all other pertinencies on the south sidewalk on Main Street West in front of City Hall on Saturday, 1993 May 29, to be in place from 8:45 a.m. to 11:45 a.m., on the occasion of the annual Boy Scout and Girl Guide Parade; and,
- (b) That Scouts Canada be granted permission to use the forecourt and forecourt area east of City Hall for a dispersal area following the Boy Scout and Girl Guide Parade; and,
- (c) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

(vi) Flying of Greek Flag.

The Committee was in receipt of a report from the City Clerk dated 1993 March 26, respecting the above noted matter and approved the following:

- (a) That approval be given to the action taken by the City Clerk in authorizing the Greek Flag to be flown at City Hall from Wednesday, 1993 March 24 - Sunday, March 28, to commemorate Greek Independence celebrations; and,
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

(vii) Flying of a Flag - Tourette Syndrome Foundation of Canada

The Committee was in receipt of a report from the City Clerk dated 1993 March 26, respecting the above noted matter and approved the following:

- (a) That approval be given to the request of the Tourette Syndrome Foundation of Canada, Hamilton Region Chapter, to fly the Tourette Syndrome Foundation of Canada Flag at City Hall during 1993 June, to commemorate Tourette Syndrome Awareness Month; and,
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

(viii) Use of City Hall Facilities - Senior Citizens' Council - 1993 Election Nominations.

The Committee was in receipt of a report from the City Clerk dated 1993 March 30, respecting the above noted matter and approved the following:

- (a) That approval be given to the request of the Culture and Recreation Department to use the first floor foyer at City Hall on Wednesday, 1993 May 12 from 10:00 a.m. - 3:00 p.m., to hold registration for nominations to the Senior Citizens' Council for the City of Hamilton and to display the Senior Council Sign; and,
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

(ix) Use of Council Chambers - Latvian Community.

The Committee was in receipt of a report from the City Clerk dated 1993 March 30, respecting the above noted matter and approved the following:

- (a) That approval be given to the request of the Latvian Community Organizing Committee to use the Council Chamber and second floor foyer on Saturday, 1993 November 20, from 10:00 a.m. until 2:00 p.m., to celebrate the 75th Jubilee of Independence Day for Latvia; and,

- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

E. TREASURER - Financing - City's Share of "Rymal Square Estates - Phase 4".

The Committee was in receipt of a report from the Treasurer dated 1993 March 30, respecting the above noted matter and approved the following:

That as referred to in Section 20 of the Fourth Report for 1993 of the Transport and Environment Committee, the City's share of "Rymal Square Estates - Phase 4" Servicing, at a cost of \$35,989.72, be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".

F. MANAGER OF PURCHASING - Assignment and Extension of Contract for the Supply and Maintenance of Tires, various Departments.

The Committee was in receipt of a report from the Manager of Purchasing dated 1993 April 2, respecting the above noted matter and approved the following:

- (a) That the contract, originally awarded to General Tire Canada Inc., for the supply and maintenance of tires for various City Departments, originally approved by City Council in 1991 June, be assigned to Jensen & Sons Tire Ltd., Hamilton; and,
- (b) That the City exercise its option to extend the contract with Jensen & Sons Tire Ltd., Hamilton, for one additional one year term.

G. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items.

The Committee was in receipt of a recommendation from the Secretary of the Finance and Administration Committee dated 1993 April 2, respecting Information Items which had previously been forwarded to members of Committee, under separate cover.

The Committee approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

- (a) Information Report - Chief Administrative Officer and Fire Chief - Requested Additional Information - Vehicle Replacement 1993 - dated 1993 March 25.
- (b) Information Report - Chief Administrative Officer - Attendance at Day of Mourning Ceremonies by Members of Local 5 - dated 1993 March 29.
- (c) Minutes - Taxi Advisory Committee - meeting held 1993 February 16.
- (d) Information Report - H.S.P.C.A. - Animal Control Legislation - dated 1993 February 15.

ADDED

Arising out of the Consent Agenda Alderman Agostino requested that in future issues respecting use of City facilities or Flying of Flags that may be of a politically contentious nature should be referred to the Mayor's Race Relations Committee and the Hamilton Wentworth Council on Police, Race and Community Relations, in order to determine any possible problems which may arise from Council's approval of such. It was agreed that the City Clerk would be requested to undertake a consultation process prior to making recommendations to Committee.

7. **CHIEF ADMINISTRATIVE OFFICER - The City's continuing role in Non-profit Housing.**

The Committee was in receipt of a report from the Chief Administrative Officer dated 1993 April 5, respecting a recommendation that the Chief Administrative Officer be authorized to approach the Hamilton Housing Company and the Hamilton Municipal Non-Profit Housing Corporation to determine the feasibility of consolidating the Housing activities undertaken by the Hamilton Housing Company and the Hamilton Municipal Non-Profit Housing Corporation with those Housing activities carried out in the Building Department. The Chief Administrative Officer's report also contained an Information Report from himself and the General Manager of the Housing Department dated 1993 April 5, respecting background information on the City's continuing role in Non-Profit Housing.

General discussion ensued with respect to the possible amalgamation of the Hamilton Housing Company with the Hamilton Municipal Non-Profit Housing Corporation and it was agreed that the Committee would **receive and take no action** with respect to the recommendation of the Chief Administrative Officer dated 1993 April 5, as previously noted above.

With respect to the Information Report from the Chief Administrative Officer and the General Manager of the Housing Department dated 1993 April 5, it was agreed that this report be brought back to the next meeting for discussion on the overall issue of the City's continuing role in Non-Profit Housing.

ADDED - By-Law - Licensed By-law Schedule 22 - Transient Vendors

The Committee was in receipt of an added report from the City Solicitor dated 1993 April 7, respecting the approval of an amended By-law respecting Schedule 22 - Transient Vendors, to be included in the consolidated Licensing By-law.

The Committee approved the following:

That the City Solicitor be authorized and directed to prepare a By-law to amend Schedule 22 to Licensing By-law No. 79-323, as consolidated in By-law 93-069, respecting Transient Vendors for presentation to City Council.

Note: As the inclusion of this Schedule was of an urgent nature, a special City Council meeting was held at 11:00 o'clock a.m. in Room 233, City Hall, to approve the above noted By-law.

8. DIRECTOR OF PROPERTY - Policy on the Acquisition and Display of Plaques, Posters, Memorabilia and Awards in City Hall.

The Committee was in receipt of a report from the Director of Property dated 1993 April 2, respecting the above noted matter.

Some discussion ensued with respect to the recommended policy contained in the report and it was agreed that this report should be **tabled** and that a Sub-Committee should be set up to review this policy with a referral back to the Finance and Administration Committee.

Alderman Agostino and Alderman Copps indicated that they wish to sit on this Sub-Committee.

9. REFERRAL FROM THE COMMITTEE OF THE WHOLE - Recommendations of the Grants Grandfather Task Force.

The Committee was in receipt of the report of the Grants Co-Ordinator dated 1993 March 22, respecting recommendations from the Grants Grandfather Task Force.

The Committee agreed to **table** this report to the next meeting.

Note: Alderman Charters opposed.

10. TREASURER

(a) 1993 Requests for Allocation of Subsidy Monies under the Public Transportation and Highway Improvement Act.

The Committee was in receipt of a report from the Treasurer dated 1993 April 5, respecting the above noted matter and approved the following:

- (a) That the Treasurer be authorized to make application to the Minister of Transportation for the City of Hamilton 1993 Normal and Supplementary Requests for Subsidy Monies under the Public Transportation and Highway Improvement Act based on the estimated maintenance and construction expenditures (both total and eligible) as contained in the 1993 Current and Capital Budgets as indicated on an attached schedule; and,
- (b) That the Treasurer be authorized to petition the Minister for subsidy payments as necessary; and,
- (c) That the Treasurer be authorized to monitor expenditures and incur only minimal 100% dollars to obtain maximum subsidy dollars in the event that a Supplementary Application is not approved.

(b) Proposed Disentanglement Agreement between the Province of Ontario and the Association of Municipalities of Ontario (AMO).

The Committee was in receipt of an Information Report from the Treasurer dated 1993 April 2, respecting the above noted matter and agreed to receive this document for information purposes.

11. RESOLUTION - Regional Municipality of Peel - Disentanglement Agreement.

The Committee was in receipt of correspondence received from the Regional Municipality of Peel dated 1993 March 24, respecting the Disentanglement Agreement. The Committee agreed to receive this document for information purposes.

12. CITY CLERK

(a) To Amend By-law 79-144 respecting Class "H" Adult Entertainment Parlours.

The Committee was in receipt of a report from the City Clerk dated 1993 April 2, respecting the above noted matter. The Committee approved the following:

That the City Solicitor be authorized and directed to amend Adult Entertainment Parlour By-law 79-144 to provide for the following:

- (a) To reduce the number of Class "H" Adult Entertainment Parlour licences from eight (8) to four (4); and,
- (b) To apply the current by-law restrictions on Adult Entertainment Parlours locating near residential and other prohibited areas to any location which has ceased to be used as a Class "H" Adult Entertainment Parlour; and,
- (c) To reduce the total number of Class "H" Adult Entertainment Parlours from four (4) to two (2) as the licences expire without renewal by the licence holder or as the licences are surrendered or lawfully revoked.

(b) F.C.M. Conference - 1993 May 28-31 - Authorization to Attend.

The Committee was in receipt of a report from the City Clerk dated 1993 April 2, respecting the above noted matter and approved the following:

That the Mayor and a maximum of six (6) Aldermen be authorized to attend the 56th Annual Conference of the Federation of Canadian Municipalities to be held in Edmonton, Alberta, 1993 May 28 - 31.

13. JOINT REPORT - DIRECTOR OF PROPERTY, MANAGER OF PURCHASING, TREASURER, DIRECTOR OF CULTURE AND RECREATION - Huntington Park Recreation Centre - Contract Amendments.

The Committee was in receipt of a report from the above noted persons dated 1993 April 5, respecting Huntington Park Recreation Centre.

Some discussion ensued with respect to the allocations of the Provincial funding dollars and it was indicated that the dollars received from the Province will be used to pay the Capitalization Costs for the Architectural Division charges, as well as reducing the City's required debenturing costs.

The Committee then approved the following:

- (a) That approval be given to amend the Construction Contract pertaining to the Huntington Park Recreation Centre between the City of Hamilton and Valee-Way General Contractors Ltd. from \$2,492,400. + GST to \$2,778,400. + GST to allow the City to renovate additional building elements as authorized by City Council on 1992 June 30; and,
- (b) That approval be given to amend the Consultant Contract between the City of Hamilton and Chamberlain Architect from \$222,308.50 + GST to \$233,908.50 + GST for extra services as a result of the additional renovations in (a) above; and,
- (c) That the total project cost approved by City Council on 1991 January 29, be increased from \$3,200,000. to \$3,385,000. to cover the Architectural Division estimated charges to the end of warranty period in 1995; and,
- (d) That the City Treasurer be authorized to reduce the debenture approval (Net City Financing) from the original amount of \$3,200,000. to \$3,075,000.; and,
- (e) That the amendments to the contracts, satisfactory to the City Solicitor, be executed; and,
- (f) That the Mayor and the City Clerk initiate the amendments to the Contract on behalf of the City.

14. IN CAMERA AGENDA

The Committee then moved into an In-Camera session to hear matters of a Private and Confidential nature.

16. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1993 April 8**

CITY OF HAMILTON
- RECOMMENDATION -

B.

DATE: 1993 April 14

APR 15 1993

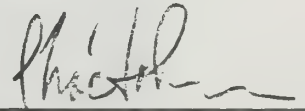
REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson,
City Solicitor

SUBJECT: Amendment to Market By-law No. 92-310 Respecting Temporary
Stallholder Signage

RECOMMENDATION:

That the attached by-law be enacted by City Council.



P. Noé Johnson

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

BACKGROUND:

On March 30, 1993 City Council adopted Section 14 of the 6th Report of the Finance and Administration Committee, recommending that the City Solicitor prepare the attached by-law to allow for Temporary Stallholder Signage, to be displayed on stalls at the Hamilton Farmers' Market when occupied by daily vendors.

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Market By-law No. 92-310

Respecting:

TEMPORARY STALLHOLDER SIGNAGE

WHEREAS subsection 72 of section 210 of the Municipal Act, R.S.O. 1990, Chapter M.45 authorizes a municipality to enact by-laws for establishing, maintaining and regulating markets;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 92-310 on the 8th day of December 1992 to regulate the Hamilton Farmers' Market;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 14 of the 6th Report of the Finance and Administration Committee at its meeting held on the 30th day of March 1993 recommended that By-law No. 92-310 be amended to allow for temporary stallholder signage to be displayed on stalls at the Hamilton Farmers' Market when occupied by daily vendors.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 10 of By-law No. 92-310 is amended by adding thereto the following the following subsection:

"(4) Every stallholder who occupies a stand on a regularly scheduled market day as a daily vendor may display a sign provided by the Market Manager in the form of Schedule "C" hereto annexed, or such other sign approved or authorized by the Market Manager in her sole discretion."

2. Schedule "A" annexed hereto forms part of this by-law, and part of By-law No. 92-310 as Schedule "C".

3. In all other respects, By-law No. 92-310 is hereby confirmed, unchanged.

PASSED this day of A.D. 1993.

City Clerk

Mayor

SCHEDULE "A"

To By-law No. 93-

and

SCHEDULE "C"

To By-law No. 92-310

HAMILTON FARMERS' MARKET
DAILY VENDOR
STAND NO. _____

Business Name

DATE _____ Market Office



CITY OF HAMILTON
- RECOMMENDATION -

C.

APR 14 1993

DATE: 1993 April 14

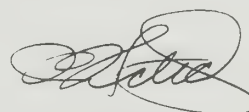
REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: Sri Chinmoy Oneness Peace Run

RECOMMENDATION:

- (a) That approval be given to the action taken by the City Clerk in authorizing Peace Runs International to use the forecourt on Saturday, 1993 April 24, from 3:00 - 6:00 o'clock p.m., for a Welcome Ceremony on the arrival in Hamilton of the Runners in the Sri Chinmoy Oneness - Home Peace Run.
- (b) That the City Clerk be authorized to approve of a similar use in future years provided it does not conflict with any other activity.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds for Property Maintenance staff overtime associated with this event in the approximate amount of \$100. are available in Account CH 55222-10034 - Use of City Hall Facilities and Equipment by Outside Groups.

BACKGROUND:

The Peace Run will start in 1993 April with the Fourth Lighting of the Peace Torch in New York. Peace Torches will then be transported to over seventy countries for a series of concurrent International or Cross-country Relay Runs.

The Peace Run is inspired by Global Peace Ambassador, Sri Chinmoy and is sponsored by the Sri Chinmoy Marathon Team.

The six Peace Run Torch Runners will arrive at the Hamilton Boundaries from the Fruitland, Stoney Creek area at approximately 4:00 o'clock p.m., on Saturday, 1993 April 24, and proceed to City Hall for a brief Welcoming Ceremony before proceeding to the Dundas Town Limits.

JJS/SG/dbm

c.c.- Mayor's Office

- Rob Swan, Manager, Property Maintenance Division
- Information Desk

CITY OF HAMILTON
- RECOMMENDATION -

D(i)

DATE: 1993 April 19

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

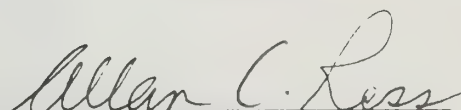
FROM: Mr. Allan C. Ross
Treasurer

SUBJECT: Business Improvement Area By-laws

RECOMMENDATION:

That the 1993 levy by-laws for six (6) Business Improvement Areas in the City of Hamilton be approved as follows:

<u>Business Improvement Area</u>	<u>1993 Levy</u>
Westdale	25,000.00
International Village	62,113.00
Ottawa Street North	87,000.00
Concession Street	8,425.00
Downtown Promenade	155,000.00
Main Street West	4,000.00


Allan C. Ross, Treasurer

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

To raise operating funds for 1993 as required by the Boards of Management for the Business Improvement Areas.

BACKGROUND:

These millrates are set in accordance with the Business Improvement Area Budgets as approved by City Council in 1993. Any uncollected levies for the respective areas from prior years will be deducted from the amounts transferred to the various boards.

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Authorize:

The Levy of a Special Charge

In Respect of:

THE INTERNATIONAL VILLAGE BUSINESS IMPROVEMENT AREA

GENERALLY COVERING BOTH SIDES OF KING STREET EAST BETWEEN
MARY STREET AND WELLINGTON STREET NORTH

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

(17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 4 of the First Report of the Planning and Development Committee on January 12, 1993 approved the amount of \$62,113.00 for 1993, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 87-178.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

(2)

2. The special charge levied shall be sufficient to provide a sum equal to the sum of \$62,113.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 87-308 together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

PASSED this

day of

A.D. 1993

CITY CLERK

MAYOR

SCHEDULE "A"

To By-law No.

1. Total assessed value of all the real property
in the area used as the basis for computing
business assessment. \$1,015,282.00
2. The Mill Rate for the special charge is calculated
by: 61.1781
 - a) dividing the approved estimates of the
Board of Management by
 - b) the total assessed value and
 - c) multiplying the result by 1,000
3. Approved estimate for 1993 \$62,113.00

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Authorize:

The Levy of a Special Charge

In Respect of:

THE MAIN STREET WEST ESPLANADE BUSINESS IMPROVEMENT AREA

GENERALLY COMPRISED OF LANDS ON THE EAST AND WEST SIDES
OF MAIN STREET WEST BETWEEN LOCKE STREET ON THE WEST AND
QUEEN STREET ON THE EAST

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

(17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 4 of the Fourth Report of the Planning and Development Committee on February 23, 1993 approved the amount of \$4,000.00 for 1993, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 87-178.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of \$4,000.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 87-308 together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

PASSED this

day of

A.D. 1993

CITY CLERK

MAYOR

SCHEDULE "A"

To By-law No.

1. Total assessed value of all the real property
in the area used as the basis for computing
business assessment. \$252,899.00
2. The Mill Rate for the special charge is calculated 15.8166
by:
 - a) dividing the approved estimates of the
Board of Management by
 - b) the total assessed value and
 - c) multiplying the result by 1,000
3. Approved estimate for 1993 \$ 4,000.00

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Authorize:

The Levy of a Special Charge

In Respect of:

WESTDALE VILLAGE BUSINESS IMPROVEMENT AREA

**GENERALLY COVERING KING STREET WEST AND THE AREA OF THE
INTERSECTION OF CLINE AVENUE AND KING STREET WEST AND EXTENDING
TO AN AREA WEST OF NEWTON AVENUE AND STERLING STREET**

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

(17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 3 of the Fifth Report of the Planning and Development Committee on March 9, 1993 approved the amount of \$25,000.00 for 1993, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 87-178.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of \$25,000.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 87-308 together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

PASSED this

day of

A.D. 1993

CITY CLERK

MAYOR

SCHEDULE "A"

To By-law No.

1. Total assessed value of all the real property
in the area used as the basis for computing
business assessment. \$673,699.00
2. The Mill Rate for the special charge is calculated 37.1086
by:
 - a) dividing the approved estimates of the
Board of Management by
 - b) the total assessed value and
 - c) multiplying the result by 1,000
3. Approved estimate for 1993 \$25,000.00

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Authorize:

The Levy of a Special Charge

In Respect of:

THE CONCESSION STREET BUSINESS IMPROVEMENT AREA

GENERALLY COMPRISED OF LANDS COVERING CONCESSION STREET
BETWEEN EAST 18TH STREET AND EAST 25TH STREET

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

(17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 2 of the Second Report of the Planning and Development Committee on January 26, 1993 approved the amount of \$8,425.00 for 1993, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 87-178.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of \$8,425.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 87-308 together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

PASSED this day of A.D. 1993

CITY CLERK

MAYOR

SCHEDULE "A"

To By-law No.

1. Total assessed value of all the real property
in the area used as the basis for computing
business assessment. \$729,508.00

2. The Mill Rate for the special charge is calculated 11.5489
by:
 - a) dividing the approved estimates of the
Board of Management by
 - b) the total assessed value and
 - c) multiplying the result by 1,000

3. Approved estimate for 1993 \$8,425.00

The Corporation of the City of Hamilton

BY-LAW NO. 93

To levy the Special Charges for 1993 for the Improvement Area in the Area between King William Street, Mary Street, Main Street East and James Street, designated by By-Law 82-151

WHEREAS, pursuant to Section 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, the Board of Management for the Improvement Area has submitted Estimates for the year 1993:

AND WHEREAS, a Special Charge is to be levied to raise the sum equal to the total of the Estimates.

THEREFORE, the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Estimates of the Board of Management for the Improvement Area in the area between King William Street, Mary Street, Main Street East and James Street for 1993 in the amount of \$155,000.00 are hereby approved.
2. In order to raise the said \$155,000.00 there is hereby levied a mill rate of 19.6207 as a Special Charge on the persons in the area assessed for business assessment, in accordance with By-law 82-152, as follows:
 - (1) The assessed value of all the real property in the Areas used as the basis for computing business assessment (known herein as "the Total Assessed Value") is
\$8,797,930
 - (2) The assessed value of the real property that is used as the basis for computing the business assessment for DMS Management Ltd. with respect to the hotel business known as "The Royal Connaught Hotel" at 82 King Street East is 592,212
This is reduced by two-thirds 394,808
to produce the Reduced Assessed Value of that business: \$197,404
 - (3) The assessed value of the real property that is used as the basis for computing the business assessment of Commonwealth Hospitality Ltd with respect to the hotel business known as "The Holiday Inn" at 150 King Street East is 754,938
This is reduced by two-thirds 503,292
to produce the Reduced Assessed Value of the business: \$251,646
 - (4) "The Reduced Total Assessed Value" is
\$8,797,930 - (394,808+503,292): \$7,899,830
 - (5) The Mill Rate for the Special Charge is calculated by:
 - (a) dividing the approved estimates of the Board of Management, \$155,000

(b) by the Reduced Total Assessed Value, \$7,899,830 and

(c) multiplying the result by 1,000: 19.6207

3. The portion of the Special Charge which is to be paid by the hotel business in sub-paragraph 2.(2) shall be determined by multiplying its Reduced Assessed Value by the Mill Rate.
4. The portion of the Special Charge to be paid by the hotel business in sub-paragraph 2.(3) shall be determined by multiplying its Reduced Assessed Value by the Mill Rate.
5. The portion of the Special Charge to be paid by each of the other persons in the Area assessed for business assessment shall be determined by multiplying the assessed value of the real property that is used as the basis for computing the business assessment of such person by the Mill Rate.

PASSED this

day of

A.D. 1993

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Authorize:

The Levy of a Special Charge

In Respect of:

THE OTTAWA STEET NORTH BUSINESS IMPROVEMENT AREA

GENERALLY COVERING OTTAWA STREET NORTH BETWEEN MAIN STREET
EAST AND EXTENDING TO AN AREA NORTH OF BARTON STREET EAST

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

(17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 2 of the 1st Report of the Planning and Development Committee on January 12, 1993 approved the amount of \$87,000.00 for 1993, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 87-178.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

(2)

2. The special charge levied shall be sufficient to provide a sum equal to the sum of \$87,000.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 87-308 together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

PASSED this

day of

A.D. 1993

CITY CLERK

MAYOR

SCHEDULE "A"

To By-law No.

1. Total assessed value of all the real property
in the area used as the basis for computing
business assessment. \$1,463,229.00
2. The Mill Rate for the special charge is calculated 59.4575
by:
 - a) dividing the approved estimates of the
Board of Management by
 - b) the total assessed value and
 - c) multiplying the result by 1,000
3. Approved estimate for 1993 \$87,000.00

CITY OF HAMILTON
- INFORMATION -

D (ii)

DATE: 1993 April 15

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross Giulio Dibacco
Treasurer Supervisor, City Garage

SUBJECT: Legislative Vehicles

BACKGROUND:

During the 1993 Budget Process, a package eliminating one of the two legislative cars was accepted by City Council.

Discussion

The City presently has two legislative cars, a 1988 Lincoln Town Car and a 1992 Chevrolet Caprice.

The Lincoln is four years older than the Caprice and it is fully depreciated. The Lincoln has 173,000 km. on the odometer and at least 25% more idling time on the engine. The Lincoln has not been running for the past nine months and would require approximately \$1,000 in repairs and tires if we are to put it back on the road. If it were to be continued in active use, staff would recommend that it be replaced at the present time.

The Caprice is a relatively new vehicle with only 26,000 km. on the odometer. It should therefore be capable of functioning as a legislative car for some years to come, as it has been fulfilling that function over the past nine month period.

Based upon the assessment of the two vehicles, staff propose that the 1988 Lincoln be deleted from the City Garage fleet and that the 1992 Chevrolet Caprice be utilized, as required, for chauffeured legislative travel.



ACR/an



c.c. Mayor R.M. Morrow
Joe Pavelka, Chief Administrative Officer

CITY OF HAMILTON
- RECOMMENDATION -

E.

DATE: 1993 April 7

APR 15 1993

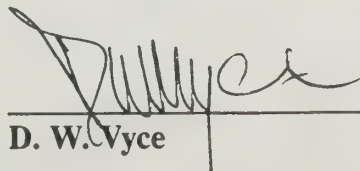
REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. D. W. Vyce
Director of Property

SUBJECT: Greendale Day Nursery Ltd.
Lease Agreement
44 Greendale Drive

RECOMMENDATION:

- a) That the Corporation of the City of Hamilton enter into a lease with Greendale Day Nursery Ltd., for a vacant parcel of City owned land located directly west of 44 Greendale Drive, containing approximately 583.4 square metres (6,280 square feet) more or less, being Part 2 of Block O on Plan M-66, to be used for access purposes only.
- b) That the term be for a period of four (4) years, commencing May 1, 1993 and expiring April 30, 1997, at a rental rate of \$700 per year plus any applicable taxes, and proceeds to be credited to Account No. CH 44104 31106 (Rental Civic Property - Civic Properties Rented).
- c) The Tenant shall have the option to renew the Lease for a further four (4) year period, with the rate and terms to be mutually agreed upon six (6) months prior to the expiry of the lease.
- d) That the Mayor and City Clerk be authorized and directed to execute a Lease Agreement in a form satisfactory to the City Solicitor.



D. W. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendation.

BACKGROUND:

The subject property, shown cross-hatched on the attached plan, has been leased since 1976 by the Region to Mini Skools Ltd., for the purpose of a driveway access to their nursery facility at 44 Greendale Drive. The Mini Skools Ltd. recently sold their facility to Greendale Nursery Ltd., who approached the Region to continue use of the subject property for access. During the review of this request, it was discovered by the Survey Department that the subject land was in fact City owned land and not Regionally owned land. Subsequently, the new owners have made the same request to the City for continued access over this land for the nursery school facility.

RJH/klb
Attach.

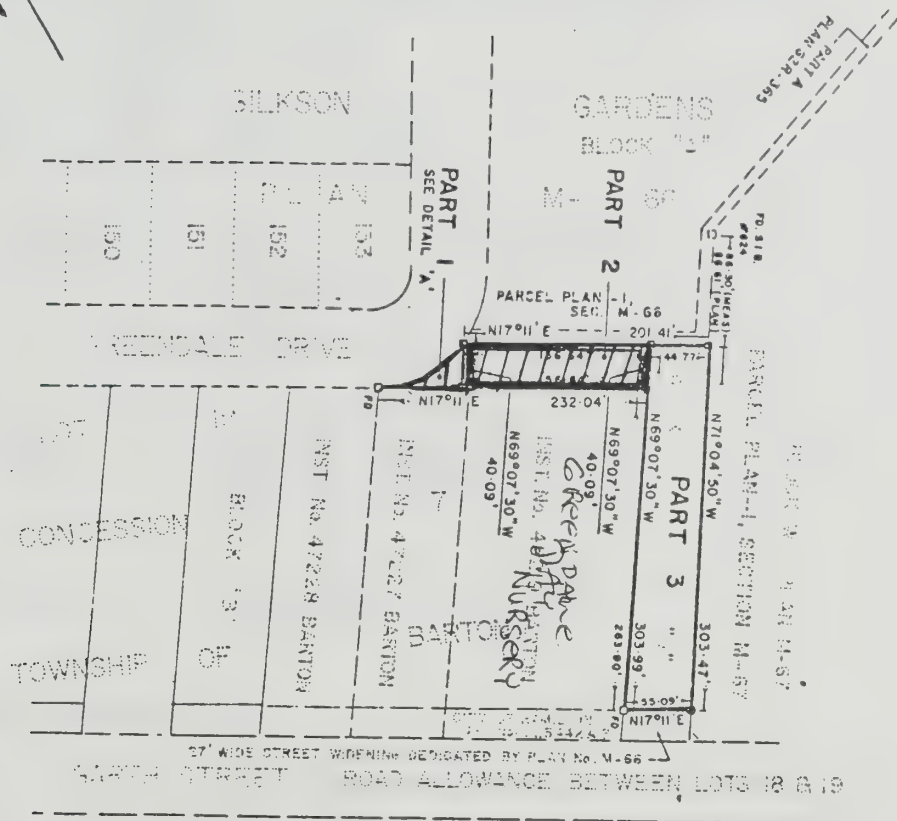
c.c. P. Noé Johnson, City Solicitor

Allan C. Ross, Treasurer

GILKSON GARDENS

CITY OF HAMILTON

COUNTY OF WENTWORTH



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY:

1. THAT THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE THEREUNDER;
2. THAT I WAS PRESENT AT AND DID PERSONALLY SUPERVISE THE SURVEY REPRESENTED BY THIS PLAN;
3. THAT THIS SURVEY WAS COMPLETED ON THE ELEVENTH DAY OF JANUARY 1972
4. THAT THIS PLAN CONTAINS A TRUE COPY OF THE FIELD NOTES OF SURVEY.

PARTS 1, 2 AND 3 - PART PARCEL 1' RESERVES, SECTION M-66

LEGEND

- = 1" SQUARE IRON BAR.
- = 5/8" IRON BAR.
- FD. = FOUND.

Feb. 1st 1972

D. A. Harrington
D. A. HARRINGTON
ONTARIO LAND SURVEYOR.

REDUCTION
NOT TO SCALE

NOTE.

BEARINGS ARE ASTRONOMIC, DERIVED FROM THE $N71^{\circ}04'50''W$ OF THE NORTHERN LIMIT OF BLOCK "D" AS SHOWN ON A PLAN FILED IN THE OFFICE OF LAND TITLES AT HAMILTON AS M-66.

SCALE 1" = 100'

DEPARTMENT OF ENGINEERING - LAND SURVEYS

GILKSON GARDENS - M-66 - CITY OWNED LANDS.

SURVEY BY D. J. S. FIELD BOOK BL. 18 P. 38 FILE NO. 1007-0025 DATE JAN 24 1972
DRAWN BY C. R. F. REF. DWG'S P-520 SCALE CHECKED BY H. S.

APPROVED

Northwell
CITY ENGINEER & MGR. WATER WORKS

CITY SURVEYOR *D. A. Harrington* O.L.S.

PLAN No. SS-1074 SURVEYS

F.

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 16

REPORT TO: Alderman D. Ross, Chairperson
and Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary
Finance and Administration Committee

SUBJECT: Information Items

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

- (a) Minutes - Hamilton Farmers' Market Sub-Committee - meeting held 1993 March 3rd.
- (b) Minutes - Hamilton Status of Women Sub-Committee - meetings held 1993 February 8th and 1993 March 8th.
- (c) Minutes - French Sub-Committee - meetings held 1993 January 8 and 1993 March 12th.
- (d) Minutes - Keep Hamilton Clean Committee - meeting held 1993 March 3rd.
- (e) Joint Information Report - City Solicitor and Building Commissioner - Building Code Prosecution - Appeal of Sentence; Donegal Homes Inc. and E. McEnaney.

SKR/dbm

CITY OF HAMILTON
- RECOMMENDATION -

3.

DATE: 1993 April 15

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: D. W. Vyce
Director of Property

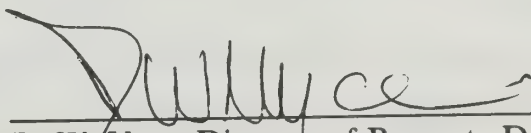
G. Baker
Fire Chief

T. Bradley
Manager of Purchasing Division

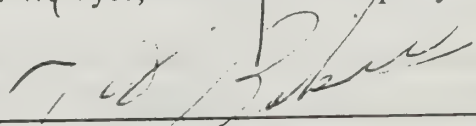
SUBJECT: Contractor Selection for Fire Station 4, Macassa Park

RECOMMENDATION:

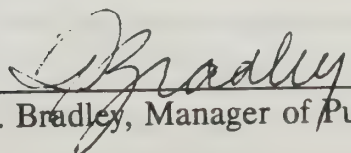
- a) That approval be given to enter into a contract with Frank Bufalino & Sons Construction Ltd in the amount of Two Million Four Hundred & Twenty Six Thousand, Three Hundred & Eighty Six. 40/Dollars (\$2,426,386.40) for the construction of the New Fire Station 4 on Upper Sherman Ave., within the N.W. corner of Macassa Park. Necessary funds are available in Accounts CF 5200 489241009 (Construction Fire Station 4) and CF 5200 629054012 (Parks Development/Re-Development 1990).
- b) That a contract be entered into, satisfactory to the City Solicitor.
- c) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City.



D. W. Vyce, Director of Property Department



G. Baker, Fire Chief



T. Bradley, Manager of Purchasing Division

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Construction Costs	\$2,426,386.40
Consultant Fees,	\$ 214,792.00
Permit, Testing, etc.	\$ 75,000.00
Furnishings	\$ 180,000.00
Staff Fees	\$ 146,000.00
Contingency	\$ 202,821.60
Total Project Budget	\$3,245,000.00

Note: Lowest of Seven (7) acceptable tenders received. Funds available in Accounts CF 5200 489241009, and CF 5200 629054012.

BACKGROUND:

1. Tender Analysis

<u>CONSTRUCTION COMPANY</u>	<u>TENDER PRICE</u>	<u>TENDER FORM INVALID</u>
GENSPEC CONSTRUCTION LTD., CONCORD	\$2,193,934.00	Incomplete
FRANK BUFALINO & SONS CONST. LTD., ST. CATHARINES, ONT.	\$2,426,386.40	
DNA CONTRACTING INC., CONCORD	\$2,464,000.00	
T.R. HINAN CONTRACTORS INC., FONTHILL	\$2,518,800.00	
BASS CONSTRUCTION DIV. OF 763215 ONTARIO LTD., BURLINGTON	\$2,537,322.90	Incomplete
VALEE WAY GENERAL CONTRACTORS LTD., CONCORD	\$2,546,600.00	
AROSAN ENTERPRISES LTD., SCARBOROUGH	\$2,547,000.00	
G.S. WARK LIMITED, HAMILTON	\$2,555,000.00	
DEMIK CONSTRUCTION LIMITED, HAMILTON	\$2,569,700.00	
BESTCO CONSTRUCTION CORP., HAMILTON	\$2,589,753.00	
TARBUTT-BUTTENHAM CONSTRUCTION LTD., BURLINGTON	\$2,635,297.00	
MARTIN-STEWART CONTRACTING LIMITED, HAMILTON	\$2,684,900.00	Incomplete
ALDOR BUILDERS LTD., THOROLD	\$2,703,890.00	Incomplete
JAMES KEMP CONSTRUCTION LIMITED, HAMILTON	\$2,705,923.00	Incomplete
CAROSI CONSTRUCTION LIMITED, BRAMPTON	\$2,730,000.00	Incomplete

BACKGROUND:

1. Tender Analysis. Cont'd

NOTE: The Tender Forms clearly stipulate that all blanks must be carefully filled in or the Tender will be declared improper.

As you can see, staff are recommending that the City accept the second lowest tender received.

The lowest price tendered by Genspec Construction Ltd. of Concord, Ontario in the sum of \$2,193,934.00 was submitted on an incomplete tender form and therefore declared invalid. The bidder neglected to provide the names of the majority of the sub trades to be used on this project.

The Tender Forms clearly stipulate that all blanks must be completed or the Tender will be declared invalid. The majority of contractors submitted valid Tender Forms in all respects including the second bid price from Frank Bufalino & Sons Construction Ltd. of St. Catharines.

2. PROJECT DESCRIPTION:

- .1 The City of Hamilton's Fire Department requires a New Fire Station with a total floor area of approximately 1900 sq.m. (21,000 sq.ft.). This New Station will amalgamate the Upper Wentworth and Mohawk and the Upper Gage and Queensdale Stations.
- .2 The Station will house a 3 bay, 5 vehicle, storage area along with a hose and tarp drying tower. The staff area, will accommodate 40 firefighters in 4 shifts with 10 firefighters on duty per shift.
- .3 An area of the building will be used as a communications centre plus an indoor training classroom.
- .4 The new facility will be located on the East side of Upper Sherman Ave., between Mohawk Road and Macassa Ave., within the North West corner of Macassa Park. Included as part of this project will be staff parking for 20 cars, a refuelling island, an outdoor training area and a 30 car public parking lot, located as a separate entity, to serve Macassa Park activities.
- .5 Construction is expected to start in the spring of 1993 and be completed in early 1994, but an earlier completion will be scheduled, if possible, to assist operational requirements.
- .6 This project approved through the Finance & Administration Committee in the 1992/96 Capital Budget is funded at \$3,200,000.00

BACKGROUND:

2. **PROJECT DESCRIPTION:**.Cont'd

- .7 The Public Works Department has made available up to \$45,000.00 from account No. CF 5010 629054012, for the development of the public parking lot and removal of Mangalore Gardens, for a total Project Budget of \$3,245,000.00.

DK/jn

c.c. Alderman T. Jackson, Alderman, Ward 6
Alderman Bob Charters, Alderman, Ward 6
Joe Pavelka, Chief Administrative Officer
Allan C. Ross, Treasurer
P. N. Johnson, City Solicitor
Philip R.A. Hooker, Manager, Corporate and Litigation Services
R. Martiniuk, Manager, Architectural Division
G. Smith, Deputy Fire Chief
D. Keba, Project Manager
D. Lobo, Acting Director Public Works
Attention: C. Firth-Eagland

CITY OF HAMILTON
- RECOMMENDATION -

4.

DATE: March 22, 1993

REPORT TO: Susan Reeder, Secretary
Finance and Administration Committee

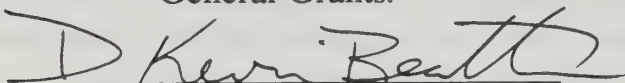
FROM: D. Kevin Beattie
Grants Co-Ordinator

SUBJECT: GRANTS GRANDFATHER TASK FORCE

RECOMMENDATION:

The Grants Grandfather Task Force has met and respectfully recommends:

- a) that to ensure all Grant applicants do not become dependent on City of Hamilton funding and allow new groups to receive funding, the Grant Policy be amended to reflect the following Sunset grant classification as outlined on Exhibit 1;
- b) that this classification be assigned to the successful 1993 Grant recipients by the Committee of the Whole during their deliberations on March 26, 1993 of the 1993 General Grants;
- c) that all general grant applicants be made aware of and encouraged to use alternative sources of funding, either through the use of Lottery Schemes (eg. Nevada Break-open tickets, Bingo), or requesting funds from local Service Clubs, Foundations, private donations and other levels of Government, in addition to the applicants normal revenue raising activities;
- d) that these recommendations be forwarded to the Committee of the Whole meeting March 26, 1993 for their consideration as part of the deliberations for the 1993 General Grants.


D.K. Beattie, Grants Co-ordinator

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The above recommendations would not have any overall affect on the 1993 Grants budget in total, however through the use of the proposed classifications, more applicants might be able to receive grant funds in future years.

Susan Reeder, Secretary
Finance and Administration Committee
March 22, 1993 - Page 2

BACKGROUND:

At the January 23, 1992 meeting of the Finance and Administration Committee meeting during a review of the General Grants, the committee approved the recommendation of establishing a special Committee to review the possibility of implementing a "Grandfather clause" policy for grants to all organizations.

The Grants Grandfather Task Force (Alderman B. Charters, Alderman F. Eisenberger, and Alderman T. Anderson) has met several times to address the issue of Grandfathering grant organizations. The task force reviewed the alternative sources of funding available to the organizations including the various Lottery Schemes (which are licensed by the City of Hamilton), and the use of Foundations (eg. Hamilton Foundation) and Service Clubs (eg. Sertoma, Lions, Legions, Rotary). It was noted that recent changes with respect to the Nevada Break-open Tickets and point-of-sale location and other administrative features will allow a greater opportunity for more qualified organizations to participate in this scheme. Also noted that Bingo requires a greater degree of administrative and organizational functions to operate. In terms of other alternate funding sources such as requesting funds from Foundations and/or Service Clubs, funds, on a limited basis, are available. Specific requirements and procedures apply to each source of funds, however in general non-profit and charitable organizations could use these alternative funding sources. The Task Force concluded that all grant applicants should be encouraged to use these alternative funding sources (Lottery, Foundations and Service Clubs) and at least be made aware of them. These sources could improve the financial viability of the organizations.

In developing the Sunset classification as outlined on Exhibit 1, the Task Force recognized the benefits that the organizations receive via the City Grant funds and more importantly the benefits that the organizations provide to the City of Hamilton. The stated objective is to facilitate the demands for Grant Funds and allow as much as possible the opportunity for new organizations to receive Grant funds. This objective can be met using the basic principle that all organizations are to be phased out over a maximum five year period. This classification is to be used as an indication of possible future funding. The Grant Policy states that "the Granting of assistance in any one year is not to be interpreted as a commitment to future years' funding. The classification should be assigned to all successful grant recipients of the 1993 General Grants when these are determined by the Committee of the Whole meeting this Friday, March 26, 1993.

DKB/dkb

Att'd

C.C. Alderman B. Charters
Alderman F. Eisenberger
Alderman T. Anderson
Grants Process Group

GRANTS GRANDFATHER TASK FORCE

GENERAL GRANT CLASSIFICATIONS

OBJECTIVE

TO ENSURE THAT THE LIMITED CITY OF HAMILTON GRANT FUNDS AVAILABLE TO QUALIFIED GRANT ORGANIZATIONS BE ALLOCATED IN SUCH A MANNER TO ENSURE THAT NEW QUALIFIED ORGANIZATIONS HAVE AN OPPORTUNITY TO RECEIVE FUNDING AND ALL ORGANIZATIONS ARE ENCOURAGED TO DEVELOP AND EXPLORE ALTERNATIVE SOURCES OF FUNDING.

PRINCIPLE

ALL GRANT ORGANIZATIONS ARE CONSIDERED TO BE PHASED-OUT OR SUNSET OVER A MAXIMUM OF FIVE YEARS OF FUNDING.

CITY OF HAMILTON
- INFORMATION -

5(a.)

DATE: 1993 April 16

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Claims for Mileage Expenses

BACKGROUND:

At the Finance and Administration Committee meeting of April 8, 1993, staff were requested to report back on the possibility of individuals claiming "mileage" expenses for a prior year or years.

I would have serious difficulty processing such a claim, both from a financial and budgetary viewpoint as Treasurer, and from a control and audit viewpoint. Some of the difficulties are as follows:

- (1) Standard practice for claiming mileage allowances is that these expense claims are completed on a Treasury Department form and submitted on a monthly basis together with sufficient detail satisfactory to the appropriate Department Head and the Treasurer in order to substantiate the claim.
- (2) The books for prior years are closed and the reporting to the Ministry of Municipal Affairs each year on the state of our financial affairs has been completed. I do not believe it would be prudent to burden this year's financial records with an unforeseen and unbudgeted prior years' expenditure unless a bonafide error has been made in not properly recording such an expenditure initially.
- (3) Finally, specific to such claims from an elected official, in accordance with the Municipal Act, the Treasurer must report each year to City Council by February 28 on the remuneration and expenses of elected officials. As I would not view the non-payment of mileage expenses to any elected official for past years as an "error", it would be difficult to authorize such claims as the relevant costs had not been properly reflected in these expense reports to Council.

For the reasons noted above, claims for mileage expenses from prior years would not be approved for payment in Treasury unless a bonafide error has been made in the handling of a specific item.

Allan C. Ross

ACR/an

c.c. Joe Pavelka, Chief Administrative Officer
John Johnston, Commissioner, Human Resources Centre



CITY COUNCIL
HAMILTON, CANADA

Alderman Vince Agro

71 MAIN STREET WEST L8N 3T4 • (416) 546-2730 • RES. (416) 528-2009 - WARD 2

11 March 1993

Alderman Don Ross, Chairman
Finance & Administration Committee

Dear Alderman Ross:

As per our conversation please place on the agenda of the Finance & Administration Committee the issue dealing with Aldermen charging mileage while on City business.

It is my contention that Aldermen should not be allowed to charge mileage with the exception of travelling out of the Region while on City business eg: convention, seminar, etc.

This issue should be dealt with apart from the Mayoralty issue.

Sincerely,

Vince Agro
Alderman, Ward 2

VJA:sn

c.c. Mr. J. Thompson, Secretary, Finance & Administration Committee
Ms. Deborah Walker, CHCH TV
Mr. Jim Poling, The Spectator

referred to staff for a report
in 1993 (in file)

CITY OF HAMILTON
- RECOMMENDATION -

5 (b.)

DATE: 1993 April 19

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Insurance and Risk Management Report
- Armour Riley Inc.

RECOMMENDATIONS:


- a) That the Insurance and Risk Management Report, March 1993 as prepared and submitted by Armour Riley Inc. be accepted (copies available from Secretary or Treasurer); and
- b) That staff be authorized to take the necessary actions to implement the key recommendations of the report, being:
 - i) That insurance coverage be placed with insurers through the services of a designated insurance broker; and that the Treasurer be authorized to retain a qualified insurance broker through an advertised request for candidate brokerage firms and a pre-qualification selection process; and
 - ii) That the Treasurer be authorized to retain the firm of Armour Riley, Inc., Risk Management Consultants, to assist in the development of a pre-qualification selection process criteria for candidate brokerage firms; the criteria for evaluation of the broker applicants, and the selection of at least three brokerage firms to participate in a competitive tender for insurance (based on specifications for insurance to be developed jointly by Armour Riley, Inc. and City staff and allocation of insurance markets); at an upset cost limit of \$16,000; and

1993, April 15

Susan K. Reeder, Secretary
Finance and Administration Committee - continued 2

RECOMMENDATIONS: - continued

- iii) That the insurance and risk management program of the City be enhanced by consolidation of the existing sixteen (16) Property and Liability insurance policies into a reduced number of broadly worded policies for the City, Boards, Commissions, etc. and H. E. C. F. I and City Companies for each of the following classes of insurance:
 - aa) Property;
 - bb) Boiler and Machinery;
 - cc) Liability - injury or damage;
 - dd) Director and Officers Liability;
 - ee) Automobile Fleet; and
- iv) That the Treasurer be instructed to report to the Finance and Administration Committee; firstly, for approval of the selected brokerage firms to participate in the competitive tender for insurance and market allocation; and secondly, for the selection of the final broker and placement of insurance coverage; and
- v) That the limit of liability insurance coverage be expanded from the present \$14 million and the deductible be restructured to various dollar levels subject to specified annual aggregate limits with the specific coverage and deductibles to be determined from the analysis of the alternate package costings generated from the tendering process; and
- vi) That staff prepare a written policy statement for an insurance and risk management program for the City to include objectives, procedures and loss prevention programs for formal approval of the Finance and Administration Committee and City Council.


Allan C. Ross, Treasurer

1993, April 15

Susan K. Reeder, Secretary
Finance and Administration Committee - continued 3

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The firm of Armour Riley, Inc., (the original consultant) have estimated their fees for Phase II of the study at an upset limit of \$16,000. Phase II will entail the consultant to prepare the pre-qualification selection process criteria, broker evaluation and the insurance coverage specifications for our acceptance, amendment or revision. Funds are available in Insurance Premiums, Account No. CH 53521 24108 Consultants Fees.

BACKGROUND:

On October 13, 1992, the Finance and Administration Committee authorized the retention of Armour Riley Inc, Risk Management Consultants, to examine the operations of the City Departments, Local Boards, H. E. C. F. I. and City-owned Companies for insurance purposes and prepare a report, complete with recommendations, as to:

1. Exposure (risk) identification;
2. Evaluate insurance coverage and adequacy in view of exposures;
3. Forecast of losses through claims;
4. A level of funding for the Reserve for Uninsured Losses;
5. A risk financing approach;
6. Examine and evaluate current risk management program versus alternatives.

This report has now been completed and is available from the Secretary of the Committee and/or the Treasurer upon request.

The basis of the report together, with the recommendations have been reviewed by the Treasurer and a group of senior staff, who concur with the recommendations contained therein.

The most significant recommendation in the report is the appointment of a suitably qualified insurance brokerage firm to act on our behalf through a pre-qualification selection process, with the City and consultant allocating markets and establishing insurance specifications. Presently, insurance is purchased on the advice of a voluntary Insurance Advisory Committee (members of local insurance brokers and insurers) directly from the insurer.

The retention of a qualified broker will, through their expertise, enable the City to structure our insurance in the most effective way, and to incorporate into the various policy wordings, terms and conditions which maximize the scope of coverage to our benefit. In addition, other resources and services available from a major broker include:

1993, April 15

Susan K. Reeder, Secretary
Finance and Administration Committee - continued 4

BACKGROUND: - continued

- claims department to monitor and expedite claims settlements, and to exert their significant leverage on our behalf in the case of contentious claims;
- loss prevention engineering department to monitor frequency and quality of loss prevention service provided by insurers or outside contractors;
- on-going risk identification of our operations and updating our insurance program to respond to our changing needs, and to the current state of the insurance market;
- monitoring of the financial security of insurers to ensure that your program is placed with companies currently providing the coverage and cost most advantageous to us;
- accountability i. e.: legal liability for the financial consequences to the City of any serious deficiency in our insurance program. In the event of insurers withholding indemnity in a major claim, we do not have any intermediary whom we can hold responsible.

For your information, attached is an Executive Summary of the Consultant's Recommendations with brief explanations and justification for each recommendation.

It is the opinion of the staff group that consolidation of insurance policies, restructuring of limits of coverage and deductibles together with the selection of at least three full-service brokers through a pre-qualification selection process (with the assistance of the insurance consultant) and the resultant procurement of insurance through a competitive tender process based on written specifications will provide an insurance and risk management program which will meet the City's needs and requirements immediately with the most advantageous coverage, the best insurers and an optimal cost.

The staff group is of a further opinion that recommendations should be made to your Committee at integral times in the process:

1. Selection of brokers to participate in a competitive tender for insurance based on written insurance specifications and allocation of markets; and
2. Results of competitive tender and comparison to existing insurance program and procurement of insurance.

1993, April 15

Susan K. Reeder, Secretary
Finance and Administration Committee - continued 5

In conjunction with the Consultant's review and report an in-house staff group was formed to review the organization and operation of the City's insurance/risk management functions to ensure that this service is being provided effectively as possible.

Pages 11, 12 and Appendix II as well as other references in the Consultant's Report and comments are directed to Risk Management and Loss Prevention Programs. These relevant sections of the report have been referred to the in-house staff group for consideration with comments and recommendations on risk management to be included with their report when completed.

/rdu

TREASURY DEPARTMENT

INSURANCE AND RISK MANAGEMENT REPORT

Armour Riley, Inc.

EXECUTIVE SUMMARY

1. Observations: Appointment of Broker (Page 2)

The structure of the City's insurance program does not focus responsibility for its effectiveness at any one insurance broker.

Recommendation:

The appointment of a suitably qualified firm as the City's insurance broker to enhance the security and reliability of the program.

Review - Staff Comments:

As discussed on Page 3 and 4 of the RECOMMENDATION - BACKGROUND the explanation and justification for this recommendation is valid and the major issue of accountability will be resolved by implementation of this recommendation.

2. Observations: Fragmentation (Page 2 and 5)

The existing insurance program is fragmented into several entities, with separate coverage being effected

- on City property, on 10 different policies, and
- on liability insurance, on 6 policies.

Recommendation:

Consolidation of fragmented coverages into one broadly worded policy for each of the following classes:

- Property - including all City property and that for which we are responsible;
- Boiler and Machinery;
- Liability for injury or damage;
- Directors and Officers Liability - expanded to include City;
- Automobile Fleet.

TREASURY DEPARTMENT

Page 2

INSURANCE AND RISK MANAGEMENT REPORT

Armour Riley, Inc.

EXECUTIVE SUMMARY

2. Review - Staff Comments:

Consolidation can be done, however, certain policies were originated as comprehensive policies to cover all types of insurance (Property, Liability, Boiler & Machinery, etc.) for any given entity or agency not directly controlled by the City, but for which we may have some responsibility, i. e: Canadian Football Hall of Fame & Museum (by agreement we are responsible for maintenance of the building - property, liability and boiler/machinery, but not for Directors and Officers liability or automobiles.) The optimal consolidation will be developed in consultation with Armour Riley while preparing the tender specifications.

3. Observations: Limit of Coverage - Liability (Page 3, 4 and 7)

Liability limit of coverage (\$14 million) is inadequate in relation to potential liability arising from a serious incident, and although it is consistent with that carried by medium sized municipalities it is inconsistent with private sector corporations generally.

The City's operation of Ivor Wynne Stadium, Hamilton Place and its involvement in events at which large numbers of the public are present represents a serious exposure to a number of large claims arising from one incident.

Liability Claims Summary - Appendix IV indicate no large claims (\$67,633 in 1991) and \$80,000 largest reserve in 1990)

Recommendation:

Premium costs should be determined at various limits of coverage and deductible levels including: additional coverage limits to a minimum of \$50 million and levels of deductible of \$100,000, \$500,000 and \$1,000,000 and an annual aggregate of up to \$2 million.

Review - Staff Comments:

Both limits of liability coverage and deductibles (\$14 and \$3 million respectively) should be restructured in light of exposures and claims histories and the most advantageous levels of coverage and deductibles chosen based on the tender results.

TREASURY DEPARTMENT

Page 3

INSURANCE AND RISK MANAGEMENT REPORT

Armour Riley, Inc.

EXECUTIVE SUMMARY

4. Observations: Deductible - Liability (Page 6 and 7)

City's current liability deductible is \$3 million and contains the potential for a severe over-run of budget estimate in one or more years, if in that period several major liability claims occur.

Liability insurance deductibles should be restructured so that:

- the amount is set at a level which gives maximum value in terms of premium reduction combined with the increased contribution arising from such deductible, i. e: the most cost-effective level to achieve minimum long term cost of risk;
- provision is made for a ceiling in any year for the total amount incurred, as the deductible contribution, arising from a number claims; this provision is sometimes referred to as a cap, or stop loss provision.

Recommendation:

See Recommendation 3.

Review - Staff Comments:

Restructure of deductibles combined with monitoring cost of risk to establish deductible levels would eliminate any severe over-run of budget estimates or the requirement for additional financing from Reserves, if in any period several major liability claims were incurred or the volume of claims rose significantly.

5. Observations: Cost of Risk (Pages 5 and 6)

Cost of Risk being the sum of insurance premiums, uninsured losses (including those below deductibles), loss prevention costs and administrative costs are not monitored.

Recommendation:

The Cost of Risk should be established on an annual basis.

TREASURY DEPARTMENT

Page 4

INSURANCE AND RISK MANAGEMENT REPORT

Armour Riley, Inc.

EXECUTIVE SUMMARY

5. Review - Staff Comments:

Accurate recording of Cost of Risk will enable the City to determine and monitor the most cost-effective level of deductibles, and to adjust these levels periodically according to the condition of the insurance market, in order that Cost of Risk is maintained at an acceptable level over a period of years.

6. Observation: Claims Recording (Page 8)

It is essential that the recording of claims information, as required by Cost of Risk accounting, be in a format compatible with insurance practice.

Recommendation:

That all claims information be recorded in a manner compatible with the insurance industry by class of insurance (liability, property, automobile, etc.) and allocated by date of occurrence (not payment) to the appropriate insurance policy year.

Review Comments:

Unless claims data is recorded in this manner, accurate premium quotations from insurers for different deductible options can not be obtained, nor is it possible to monitor, with sufficient precision, the most effective deductible level.

7. Observation: Forecast of Losses (Page 9)

Hamilton's experience is normal for a major municipality.

Recommendation:

None.

TREASURY DEPARTMENT

Page 5

INSURANCE AND RISK MANAGEMENT REPORT

Armour Riley, Inc.

EXECUTIVE SUMMARY

7. Review - Staff Comments:

Examination of the six year (1986 to 1992 inclusive) claims history suggests that the total cost of these normal claims (which it is not generally advisable to insure) cannot be predicted with any precision for a given year. With the exception of any large occurrences which may result in claims, we can anticipate 200-300 normal claims each year aggregating between \$300,000 and \$500,000, based on the current low level of inflation.

8. Observation: Level of Funding (Pages 9 and 10)

Level of Funding means level of retention, however, it can also mean a budget figure for total cost of risk. The Observations, Recommendations and Review Comments contained in Sections 4 and 5 - Deductible-Liability and Cost of Risk respectively must be reviewed in concert with Level of Funding.

Recommendation:

None.

Review - Staff Comments:

The distinction between occurrence deductible and the need for an aggregate deductible per annum (a limit to the total the City would pay in a policy year as occurrence deductibles) would be the required Level of Funding. The premium quotations resultant of a tender (to our insurance specifications at various limits of coverage and deductibles after taking into account the claims history) can be examined and the cost of different options of occurrence deductibles, aggregate deductibles and limits of coverage can be used to establish the level of funding and and cause a stabilizing effect on total cost of risk.

9. Observations: Risk Financing Options (Page 10)

Presently, the City's has chosen to finance the cost of risk through a combination of purchased insurance and City's internal funds (self-insure).

TREASURY DEPARTMENT

Page 6

INSURANCE AND RISK MANAGEMENT REPORT

Armour Riley, Inc.

EXECUTIVE SUMMARY

9. Recommendation:

That the City examine other options available for the financing of the cost of risk, namely: insurance, self-insurance, reciprocal or a blend of options.

Review - Staff Comments:

Within the report, the consultant has identified the above sources of financing of the cost of risk and provided brief comments on each source. However, after his consideration of these sources, the prime recommendation of this report is to appoint a full-service broker and procure insurance through a tender call. The insurance specifications will be a blend of insurance and self-insurance as is currently in place with some adjustments in the specifications to remedy the Coverage Concerns/Inconsistencies identified in our existing program (Appendix I).

The staff in-house group can at some time in the future examine the options for risk financing.

10. Observation: Risk Management Program (Pages 11, 12 and Appendix II)

Some risk management procedures are informally in place, however a Risk Management Program including a Loss Prevention Program is not in place.

Recommendation:

A Risk Management Program be initiated, starting with an approved statement of the Program's objectives, procedures, etc. as outlined in Appendix II.

Review - Staff Comments:

With the appointment of a broker and with the acquisition of insurance, staff can prepare the aforementioned statement for approval of the Finance and Administration Committee and City Council and establish a Risk Management Program. This recommendation has been forwarded to the staff in-house group to be implemented.

TREASURY DEPARTMENT

Page 7

INSURANCE AND RISK MANAGEMENT REPORT

Armour Riley, Inc.

EXECUTIVE SUMMARY

11. Observation: User Groups - Private Sector/Community and Liquor Liability

Many Private Sector and Community Groups have use of City facilities and the City requires the user to provided liability insurance at a level of \$3 or \$2 million respectively, (dovetailed to the City's deductible), as well as Liquor Liability Insurance.

Recommendation:

That the requirement that the user group provide liability insurance remain in place and the limit should be increased to \$5 million regardless of the deductible level selected by the City in its own Program.

Secondly, the community user groups be required to provide \$2 million liability insurance.

Thirdly, the above recommendations apply whether a liquor liability exposure exists with the user activity and the user's evidence of coverage should warrant that it includes the liquor liability coverage.

Review - Staff Comments:

The objective in this requirement is to have claims from the use of our facilities borne primarily by the user's insurance, with the City's program providing excess coverage for our protection but not the user's. Most private sector user's are commercial companies entering our facilities to provide goods or services and as such should be in a position to provide liability insurance at \$5 million. In the case of community user groups it is recognized that although a \$2 million limit of coverage is available, a \$5 million limit of coverage may not be available or if it is, may be at a prohibitive cost. Therefore, the requirement has been reduced to a level which is both affordable and available.

6.

CORPORATION OF THE CITY OF HAMILTON

MEMORANDUM

TO: Susan K. Reeder, Secretary
Finance and Administration Committee

YOUR FILE: **APR 13 1993**

FROM: Tina Agnello, Secretary
Football Hall of Fame and
Museum Management Committee

OUR FILE:
PHONE: 546-2729

SUBJECT: **CITY OF HAMILTON PARADE FLOAT
FOR 1993 GREY CUP**

DATE: 1993 April 13

The Football Hall of Fame and Museum Management Committee is in receipt of your memo dated 1993 February 10 in response to a correspondence of 1993 January 18.

The Committee would like to provide you with further information on the request. The parade is to be held in Calgary with Floats from the many cities which have teams in the Canadian Football League. As the proud Home of the Canadian Football Hall of Fame and Museum, the City of Hamilton's absence in this parade will be noticeable. The Committee trusts that this additional information will help re-evaluate the decision of 1993 February 4 to receive and take an action on the request to provide an upset fee of \$30,000. for the City of Hamilton in conjunction with the Hall of Fame and Museum to parade a float.

T. Agnello

cc: Mayor R. M. Morrow

B. Tidball, Chairman
Football Hall of Fame and Museum Management Committee

Lou Franco, Treasurer
Football Hall of Fame and Museum Management Committee

A. Ross, City Treasurer

K. Beattie, Grants Co-ordinator, Treasury Department

CITY CLERK'S DEPARTMENT
MEMORANDUM

TO: Tina Agnello, Secretary
Football Hall of Fame and Museum
Management Committee

YOUR FILE:

FROM: Susan K. Reeder, Secretary
Finance and Administration Committee

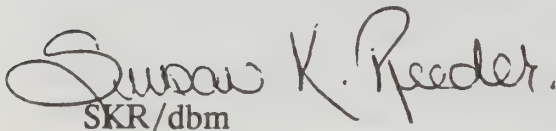
OUR FILE:
PHONE:

SUBJECT: City of Hamilton Parade Float for
1993 Grey Cup

DATE: 1993 February 10

This will confirm that the Finance and Administration Committee at its meeting held Thursday, 1993 February 4th, were in receipt of your memorandum dated 1993 January 18th, requesting that an upset fee of \$30,000. be placed in the 1993 Budget for parading a float on behalf of the City of Hamilton to be used in the 1993 Grey Cup Parade.

Please be advised that the Finance and Administration Committee agreed to "Receive and take no action" on this request.


SKR/dbm

c.c.- B. Tidball, Chairperson,
Football Hall of Fame and Museum Management Committee

- Allan Ross, Treasurer

- Kevin Beattie, Grants Co-Ordinator, Treasury Department

OFFICE OF THE CITY CLERK

JAN 18 1993

REC. BY SGH DATE _____
REF'D. TO S.R. DATE _____
REF'D. TO _____ DATE _____
REF'D. TO _____ DATE _____

CITY CLERK'S DEPARTMENT
MEMORANDUM

ACTION: Response submitted

for F&A Committee
REFER TO

YOUR FILE: F. & A. CTRE.

TO: J. J. Schatz
City Clerk
City Clerk's Department

FROM: Tina Agnello, Secretary
Football Hall of Fame and Museum
Management Committee

OUR FILE:
PHONE: 546-2729

SUBJECT: City of Hamilton
Parade Float for 1993 Grey Cup

DATE: 1993 January 18

At the Football Hall of Fame and Museum Management Committee meeting of 1992 January 11, the following resolution was passed:

That a letter be forwarded to the City Clerk directing that an upset fee of \$30,000 be presented before the Finance and Administration Committee to be placed in the 1993 budget for parading a float on behalf of the City of Hamilton to be used in the 1993 Grey Cup Parade.

Note: The City of Hamilton has historically paraded a float in the Grey Cup Parade as it is a high profile and nationally televised event that brings recognition to the City of Hamilton as the home of the Canadian Football Hall of Fame and Museum and the Hamilton Tiger Cats. In 1992, \$15,000 was allocated for parading but was not used as the Grey Cup Parade was not held. The money to be budgeted is allocated to Account #CH55309-80040.

D. Agnello

cc: B. Tidball, Chairperson, Football Hall of Fame and Museum Management Committee
E. Chalupka, Managing Director, Football Hall of Fame and Museum
✓ S. Reeder, Secretary, Finance and Administration Committee

*require a
"action" taken - 1993 Feb. 4*

7.

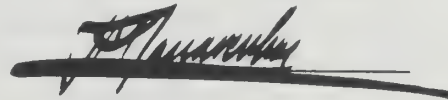
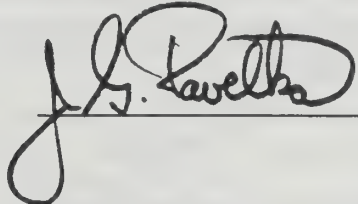
CITY OF HAMILTON
- FOR INFORMATION -

DATE: 1993 April 5

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. Pavelka,
Chief Administrative Officer

Mark Mascarenhas,
General Manager,
Housing Department



SUBJECT: THE CITY'S CONTINUING ROLE IN
NON-PROFIT HOUSING

SUMMARY:

At its meeting of January 21, 1993, the Finance and Administration Committee requested a report on "The City's continuing involvement in non-profit housing". This report attempts to respond to that request, and focuses largely on the Municipal Non-Profit (Hamilton) Housing Corporation (hereinafter referred to as Hamilton MNPHC) which is the City's main vehicle for non-profit housing.

The City of Hamilton is involved in non-profit housing through sponsorship and ownership of two housing corporations. The Hamilton Housing Company Ltd. and Hamilton MNPHC.

In summary, the tangible benefits of this involvement are:

- **Job creation** from direct construction and spin-offs.
- **Housing** for low and moderate income citizens who are less able to compete in the private marketplace for good, suitable, appropriate and decent housing.
- **Revenues** to the City/Region from development charges, building permits, property taxes, and organizational allowances.
- **Redevelopment** of infill lots and neighbourhoods.

1. BACKGROUND ON HAMILTON MNPHC

Hamilton MNPHC was established in 1985 by Hamilton City Council, under Provincial legislation, to provide much needed good affordable housing to Hamiltonians of many different income groups, by utilizing Federal/Provincial funding for municipal non-profits that was available but not being used and that would otherwise be spent in other communities that had municipal non-profits. A staff review at that time indicated that Hamilton was not getting its fair share of housing allocation.

The first Board consisted of Mayor Robert Morrow as President and all 16 members of Council. In 1987, Alderman Don Ross was elected President and subsequently the by-laws were amended to reduce the Board's size and to include a minority of citizen representation. In early 1992, Alderman Bob Charters was elected President. The current Board appointed by Council comprises:

Alderman Bob Charters:	President
Mr. Robert Kronas:	Vice President
Alderman Don Ross:	Past President & Director
Mayor Robert Morrow:	Director
Alderman Dave Wilson:	Director
Alderman Don Drury:	Director
Alderman Terry Anderson:	Director
Alderman Frank D'Amico:	Director
Ms. Susan Andrews:	Director
Ms. Sharon Dale Charters:	Director
Mr. Marc Guizzo:	Director
Ms. Nancie Mleczko:	Director
Mr. Gary Molinaro:	Director

Under the capable leadership of these Presidents and with the contribution of elected officials and citizens, past and present, Hamilton MNPHC has grown in difficult times to currently owning and operating **359** housing units in nine projects, with book value assets at the end of 1992 of **\$ 26.5 million** and an annual operating budget of **\$ 4.5 million**. Two major projects (Oakwood Mews 64 units, Cumberland Gage 152 units) totalling 216 units with funded Capital budgets of **\$ 24 million** are in the construction phase. Another 2 projects (101 Broadway 45 units and 10 Brock St. 10 units) with a capital value of **\$ 4.9 million** are expected for construction start by the middle of summer of 1993. The construction activity for 1993 alone will create an estimated **300** direct and spin-off jobs.

2. WHICH MUNICIPALITIES HAVE MNPHC's?

There are many municipalities, small and big, in Ontario that have Municipal Non Profits taking advantage of Federal and Provincial funding to improve their housing situation and create jobs. Some of these are as follows:

Hamilton, Ottawa, Kitchener, Toronto, Glanbrook, Dundas, Stoney Creek, Ancaster, Cambridge, Simcoe, Waterloo, Halton, Peel, Ajax, Durham, Windsor, Guelph, Gravenhurst, Lindsay, Owen Sound, Vaughan, York, Belleville, Cornwall, Kingston, Nepean, North Bay, Thunder Bay, Brantford, Dunnville, Niagara Falls.

3. HOW ARE MNPHC's FUNDED?

Capital funding: Through mortgages of 100% of Capital Cost, guaranteed by the Province and insured by Canada Mortgage and Housing Corporation.

Operating: Annual operating subsidies to bridge the difference between the costs to operate (mortgage, taxes, maintenance, administration) and the market rents, and a further subsidy to provide additional assistance below market rents to tenants qualifying for Rent-Geared-To-Income subsidy (RGI).

The cost of administering the MNPHCS' is recoverable from a 2% allowance in the Capital budget and up to a maximum of 6% of the operating budgets.

4. REVENUES TO CITY/REGION:

Hamilton MNPHC housing activity yields tangible financial benefits to the Municipality. Below is a summary of revenue generation:

	<u>Development Charges</u>	<u>Building Permit Revenues</u>	<u>Annual Prop. Taxes</u>
1. Projects built & occupied	\$ 540,878	\$ 188,672	\$ 845,701
2. Projects to commence construction early 1993.	\$ 1,024,686	\$ 112,726	\$ 406,400
3. Projects to commence construction mid 1993.	<u>\$ 214,740</u>	<u>\$ 30,710</u>	<u>\$ 143,000</u>
Total by year end 1993	<u>\$ 1,780,304</u>	<u>\$ 352,108</u>	<u>\$1,395,101</u>

5. NEED FOR NON PROFIT HOUSING:

A plethora of Federal, Provincial and Municipal research studies have well documented the need for safe, suitable, adequate, and affordable rental housing.

Specifically, the Municipal Housing Statement (1992) indicates that 2,765 families are in urgent need of rent-gear:d-to-income housing units. CMHC housing analysis and research indicates that many families and especially singles, are "doubling up" in these recessionary times. A recent study by Regional Social Services shows that 72% of G.W.A. clients are singles who do not live in assisted housing and who then require a component of Regional subsidy for a housing allowance. Demographic studies conclude a growing increase in the seniors population, especially on Hamilton Mountain, requiring a future need for seniors housing projects.

6. RECORD OF HAMILTON MNPFC

6.1 PROJECTS UNDER OCCUPANCY

	<u>Units</u>	<u>Location/Type</u>
1)	47	772 Upper Paradise, Townhouses
2)	70	470 Stonechurch, Townhouses
3)	65	580 Limeridge, Townhouses
4)	10	Ashley/Century Sts., Townhouses
5)	66	1150 Limeridge, Townhouses
6)	18	1781 King, Apts
7)	40	75 Wentworth St. Apts.
8)	20	67 Ossington Townhouses
9)	<u>23</u>	1081 Rymal Rd., Townhouses
	359	

6.2 PROJECTS TO COMMENCE CONSTRUCTION (First Half of 1993)

64 units: Oakwood Mews, 25 Towercrest Drive, Townhouses
152 units: Cumberland Gage, 430 Cumberland Ave., Apartments

6.3 PROJECTS TO COMMENCE CONSTRUCTION (Second Half of 1993)

45 units: 101 Broadway, Apartments
10 units: 10 Brock St., Townhouses

6.4 PROJECTS PROPOSED FOR ALLOCATION

1100 Limeridge: 57 units for Seniors, Apartments
1285 Upper Gage: 14 Townhouses

6.5 PROJECTS IN INVESTIGATION, NEGOTIATION, EVALUATION, FEASIBILITY AND DEVELOPMENT PHASE

King William & Mary St.	146 units, Joint-Venture with Hamilton Parking Authority.
Village View, 260-280 King St.	127 units, Commercial/Residential building (Ammendolia)
CN Rail site, Barton & Ferguson	55 townhouses
St. Andrews Church, Barton/Smith	30 apartments
Main St. West (near Sheridan)	143 apartments. Possible venture with Vila Polonia
Napier/Caroline	38 Apartments
Barton St. B.I.A.	scattered residential/commercial buildings.
Hamilton Beach Neighbourhood	undetermined

7. ADMINISTRATIVE STRUCTURE

7.1 Board: The Boards of Directors of Hamilton MNPHC and the Hamilton Housing Company are appointed by City Council for three year terms. The Boards meet at the call of the Presidents. The Boards set policies and approve capital and operating budgets, approve new projects, and provide direction to staff.

7.2 Administration: The business affairs of the Corporation are undertaken by City staff whose costs are "charged back" to Hamilton MNPHC and Hamilton Housing Company. Staff work is co-ordinated by the General Manager of Housing who reports functionally to the Boards and administratively to the Chief Administrative Officer.

The General Manager utilizes services from other City departments and outside service providers and consultants on an "as and when needed" basis. The costs of these are "charged back" to Hamilton MNPHC. Legal services are provided by Mr. Paul Paradis of Ross & McBride, architectural design and contract administration services are obtained from Architects who are retained on a specific project basis. Auditing services are obtained from the City's auditor McGillivray Partners, and secretarial services for Board meetings are provided by the City Clerks Department.

Reporting to the General Manager are two Housing Co-ordinators - Ms. Janet Surmanski and George Gambioli, who are fully employed in all facets of the projects, from project development through to housing administration and tenant issues.

Financial administration services are provided by Mr. Joe Spiler, Certified Management Accountant, who is on loan from Treasury and whose cost is recovered by Treasury.

Finally, Secretarial/Clerical services are provided by Mrs. Pat Harper, who has done same since 1986.

The current administrative structure of an autonomous Housing department serving the interests of both Hamilton MNPHC and the City of Hamilton is very cost effective. The structure allows for accountability, empowerment, a small team approach to business and some flexibility necessary to undertake the unique and varied tasks required by the Boards and the Housing programs.

However, as part of a process of "continuous improvement", "total quality management" and bringing together like products/services, consideration should be given to consolidating housing activities in the City that are performed by different departments or divisions. This could improve services to the public, giving them one "full service package" or a "one-stop-shop". A review of the value of this consolidation is suggested. A spin-off of consolidation is that overall staff numbers could reduce and remaining staff will have the opportunity of dealing with more of a variety of issues and programs.

- 7.3 Leasing and Maintenance Functions:** The leasing and maintenance duties for the projects under occupancy are cost effectively "externally functionalized" or contracted out to property management firms. A recent proposal call resulted in two more firms providing services, in addition to Hamilton East Kiwanis, yielding lower overall costs and improved service.

The following firms have contracts for leasing and maintenance:

Hamilton East Kiwanis Non Profit Homes Inc.:	Wentworth St.School Manor, Bartonville School Manor, and Ada Pritchard/Macassa Park Apts. (Hamilton Housing Company)
Fengate Real Estate (Louis Serafini)	470 Stonechurch, 580 Limeridge, 1150 Limeridge, 67 Ossington 1081 Rymal Rd.
Property Management Guild (Peter Webb)	772 Upper Paradise.

**8. Does Hamilton MNPHC Have a Role to Play
When There are Other Non Profit Providers in the City?**

- 8.1** The proposed new Provincial allocation model gears 35% of the allocation to Municipal Non Profit Housing Corporations. Hamilton would likely receive less units if there was no MNPHC.
- 8.2** The City, through its MNPHC, can also influence the income mix (targeting) in non-profit projects to prevent ghettoization. The average income mix of Hamilton MNPHC projects indicates a stronger component of market units versus "core need" or subsidized units compared to other providers. A survey of local non-profit housing organizations has revealed that their targeting to the "core need" or subsidized category ranges from 75% right up to 100%, thus negating the income integration goal of non-profit housing. Hamilton MNPHC's average core need target is currently 48%.
- 8.3** Hamilton MNPHC can address the City's goal of intensification in the downtown area through infill, conversion and new projects. An example of built projects that would never have happened without a MNPHC are Wentworth St. School and 1781 King St. E (Bartonville School). On the other hand, because of resource restraints, private non profit providers tend to sponsor developments that can be accomplished quickly rather than concentrating on those that take more time but that are more suited to the overall goals and needs of the City.

8.4 Housing Planning Coordination

Essentially, private non-profit projects operate independently and even competitively with each other as they vie for scarce unit allocations. There is no coordination of waiting lists or attempts to determine specific needs of the community.

A Municipal Non-Profit Corporation provides a measure of control over various aspects of housing construction and management that can only be achieved through a corporation owned by the municipality. This control can be exercised in a number of areas:

- fit between broader housing policy objectives and specific developments, including design, infilling and neighbourhood fit, protection of existing stock, innovations in form or combination of uses, concentration on specific locations, such as Barton Street or the downtown;
- direct encouragement of private renovation and redevelopment in selected areas;
- promotion of residential use of non-residential lands, especially those in public ownership over which only the municipality can have any influence;

- elimination of non-conforming land uses;
- direct facilitation of mixed-use development and creation of public amenities in conjunction with non-profit projects;
- demonstration projects for infilling or energy efficient housing;
- focus on special needs and client groups not served by the private sector or other social housing agencies.
- coordination of the delivery of support services to tenants having special needs;
- direct encouragement of tenant involvement.

In addition, the staff of municipal non-profit housing corporation become housing experts to the municipality with the ability to provide advice and recommendations on a wide range of housing issues, that would not otherwise be available.

9. HAMILTON HOUSING COMPANY LIMITED

This company was established by the City of Hamilton in 1955 to build and operate the Ada Pritchard and Macassa Park Apartments (61 units) for senior citizens under the Federal Limited Dividend Programme. The apartments are located at Macassa Avenue and Upper Sherman Avenue adjacent to the Home For the Aged known as Macassa Lodge.

The Board of the Company comprises:

Alderman Tom Jackson:	President
Alderman Bob Charters:	Director
Ms. Berta Walton:	Vice-President
Ms. Doreen <i>Johnson</i>	Director
Ms. Vern Fulton:	Director

The Limited Dividend Programme provided low interest mortgages from Canada Mortgage and Housing Corporation on the basis that the projects charge "economic rents" that are in effect below market rates. However, in the past the City has had to make financial contributions, both capital and current, to keep the rents low. The current rent is \$337 per month for a one-bedroom apartment.

In order to keep rents affordable but at the same time not call upon City contributions, staff have recently successfully negotiated a rent supplement agreement with the Ontario and Federal Governments. This means that while rents will be increased to equate with operating costs in the future, those tenants who qualify will be able to get their rent reduced through the rent supplement program.

A Condition Survey of these aging buildings completed in 1992 reveals that the Housing Company will have to spend close to \$ 1,339,000 in capital funds to refurbish the buildings. While this has been included in the City's ten year capital budget, staff must explore some alternatives to funding.

10. STAFF CONCLUSION

Through its eight year history, Hamilton MNPHC has evolved from its initial embryonic form to a Corporation with real asset values of at least one and a half times book values. These assets were acquired without any municipal subsidies and are administered at no cost to the Municipality. These assets also provide safe, good, and affordable housing to citizens of Hamilton without regard to ethnic, religious, political, or "special interest" affiliations.

The creation of these housing assets and the provision of housing have generated a great deal of construction and spin-off jobs in the local community which otherwise would not have been created.

In a number of the projects, like Wentworth St. School and Bartonville School Manor, the housing created has served to convert stagnant land use, utilize hard and soft municipal services more efficiently, and improve neighbourhoods.

With the Federal withdrawal from Housing, and a greater Provincial emphasis on decentralization, empowerment of the non-profit sector, intensification, and cost effectiveness, Municipal Non-Profits, like Hamilton MNPHC, are increasingly looked at by policy and decision makers as being accountable, responsible, and capable developers of housing and recipients of Government funding. As such, while the general level of funding to the not-for-profit sector in future years may diminish because of cost restraints, the level of funding to municipal non-profits, like Hamilton MNPHC, as a percentage of total funding is likely to increase.

The Hamilton-Wentworth Roman Catholic Separate School Board
Le Conseil des Écoles Séparées Catholiques Romaines de Hamilton-Wentworth

90 MULBERRY ST., P.O. BOX 2012 HAMILTON, ONTARIO, CANADA L8N 3R9
TEL (416) 525-2930 FAX (416) 525-1724



April 15, 1993

File Code: F24

Mrs. S. Reeder, Secretary
Finance and Administration Committee
City Hall
Main Street West
Hamilton, Ontario
L8N 3T4

Dear Mrs. Reeder:

Our levy requirement for 1993 as approved by our Board is:

Elementary Panel	\$27,535,336.
Secondary Panel	<u>17,098,683.</u>
	<u>\$44,634,019.</u>

We understand that amounts of \$11,658 for our Elementary Panel and \$6,900 for Secondary Panel will be taken from our requisition to cover the adjustment in tax collections in 1992 due to assessment revisions.

Yours truly

A handwritten signature in cursive script, appearing to read "A.F. Davidson".

A.F. Davidson
Superintendent of Finance

/GS

Copy to: Allan Ross, Treasurer
Terry Daw, Manager of Revenue

8(a.)

The Board of Education for the City of Hamilton
Le Conseil de l'éducation de la ville de Hamilton

100 Main Street West
Hamilton, Ontario
Telephone (416) 527-5092
Fax (416) 521-2536



100 ouest, rue Main
Hamilton (Ontario)
Téléphone (416) 527-5092
Fac-similé (416) 521-2536

Office of the Superintendent of Finance and Treasurer

Bureau du surintendant des finances et du trésorier

1993 04 13

8(b)

Mrs. Susan K. Reeder, Secretary,
Finance and Administration Committee,
City Hall,
Main Street West,
HAMILTON, Ontario.
L8N 3T4

Dear Mrs. Reeder:

Our levy requirement for 1993 as approved by our Board on
April 5, 1993 is:

Elementary Panel	\$ 98,810,140
Secondary Panel	<u>\$ 61,366,130</u>
	<u>\$160,176,270</u>

We understand that amounts of \$262,411 for Elementary Panel
and \$155,232 for Secondary Panel will be added to our requisition, for
mill rate purposes, to cover the short-fall in tax collections in 1992
due to assessment revisions.

Due to the strike by CUPE local 1344, levy requirements for
1993 have been reduced by \$2,324,268 for 1992 and \$357,812 for 1993.
The residential and non-residential mill rates have been reduced by
3.1765 and 3.7371 respectively. In accordance with Section 237 of the
Education Act, a statement of savings shall be included with the
notice of taxes.

Yours truly,

Paul E. Shewfelt,
Superintendent of Finance and Treasurer.

GR/ga
attached.
c.c. Mr. Allan C. Ross, Treasurer.

Mailing Address
P.O. Box 2558
Hamilton, Ontario
L8N 3L1

Adresse postale
C.P. 2558
Hamilton (Ontario)
L8N 3L1

**The Board of Education for the City of Hamilton
Summary of Levies and Mill Rates
1993 vs. 1992**

<u>LEVY</u>	<u>ELEMENTARY</u>		<u>SECONDARY</u>		<u>TOTAL</u>	
1993						
BUDGET LEVY	\$98,810,140		\$61,366,130		\$160,176,270	
CITY ADJUSTMENT*	262,411	99,072,551	155,232	61,521,362	417,643	160,593,913
1992						
BUDGET LEVY	100,099,236		59,189,659		159,288,895	
CITY ADJUSTMENT*	219,789	100,319,025	147,018	59,336,677	366,807	159,655,702
INCREASE(DECREASE)		(\$1,246,474)		\$2,184,685		\$938,211
%		(1.3%)		3.6%		0.6%
RESIDENTIAL ASSESSMENT BASE-1992		\$844,347,239		\$844,347,239		

<u>MILL RATES</u>	<u>NON-RESIDENTIAL</u>			<u>RESIDENTIAL</u>		
	<u>ELEMENTARY</u>	<u>SECONDARY</u>	<u>TOTAL</u>	<u>ELEMENTARY</u>	<u>SECONDARY</u>	<u>TOTAL</u>
1993 BUDGET	138.0427	85.7207	223.7634	117.3363	72.8626	190.1989
1992 BUDGET	137.5838	81.3780	218.9618	116.9462	69.1713	186.1175
INCREASE(DECREASE)	0.4589	4.3427	4.8016	0.3901	3.6913	4.0814
%	0.3%	5.3%	2.2%	0.3%	5.3%	2.2%

TAXES FOR AVERAGE RESIDENTIAL TAXPAYER WITH \$5,000 ASSESSMENT

1993	\$950.99	(5,000 x	0.1901989)
1992	\$930.59	(5,000 x	0.1861175)
INCREASE	\$20.40	2.19%	

*City adjustment is the amount added by the municipality to the board levy to recover the short fall of the tax collections from the prior year resulting from revisions to assessments.

<u>PANEL</u>	<u>MILL RATE</u>	<u>ASSESSMENT</u>	<u>LEVY</u>
ELEMENTARY - RES	0.1173363	430,237,694	50,482,484
- NON-RES	0.1380427	351,993,113	48,590,067
- TOTAL		<u>782,230,807</u>	<u>99,072,551</u>
SECONDARY - RES	0.0728626	430,237,694	31,348,251
- NON-RES	0.0857207	351,993,113	30,173,111
- TOTAL		<u>782,230,807</u>	<u>61,521,362</u>

**The Board of Education for the City of Hamilton
Budget Summary**

	1992 Budget	1993 Estimates	Incr./ (Decr.) over 1992 Budget	
			\$	%
<u>Expenditures</u>				
Salaries & Wages, Empl. Benefits	\$ 229,649,683	231,574,555	1,924,872	0.8%
Energy	5,212,110	5,523,000	310,890	6.0%
Debt Charges	2,333,088	2,487,696	154,608	6.6%
Computer Equipment Rentals	1,697,112	1,697,112	0	0.0%
Transportation & Insurance	6,081,727	5,878,195	(203,532)	(3.3%)
Tuition Fees	3,997,893	4,567,148	569,255	14.2%
Charge Back of Taxes	2,349,529	2,596,289	246,760	10.5%
Consumables	14,496,533	12,869,102	(1,627,431)	(11.2%)
Contractuals	1,645,932	1,714,860	68,928	4.2%
Capital	9,245,734	9,221,666	(24,068)	(0.3%)
Capital, Wkg Capital, Trnsf. to Resrv.	682,900	7,665,962	6,983,062	1022.6%
	<u>277,392,241</u>	<u>285,795,585</u>	<u>8,403,344</u>	<u>3.03%</u>
<u>Revenues</u>				
Levy for Mill Rate	159,288,895	160,176,270	887,375	0.6%
Refund of Taxes	0	2,324,268	2,324,268	100.0%
General Legislative Grants	83,624,654	89,005,861	5,381,207	6.4%
Suppl Taxes, T&T, PIL	8,235,793	7,942,874	(292,919)	(3.6%)
Tuition Fees	16,106,305	15,712,163	(394,142)	(2.4%)
Surplus/Deficit	5,467,111	7,411,560	1,944,449	35.6%
Other Revenue	4,669,483	3,222,589	(1,446,894)	(31.0%)
	<u>\$ 277,392,241</u>	<u>285,795,585</u>	<u>8,403,344</u>	<u>3.03%</u>
Increase over Prior Year's Budget	<u>4.33%</u>	<u>3.03%</u>	<u>8,403,344</u>	<u>3.03%</u>
<u>Taxes on Average \$5000 Assessment</u>				
Education	\$ 930.59	950.99	20.40	2.19%
City	512.79	521.11	8.32	1.62%
Region (estimate)	517.57	539.41	21.84	4.22%
Total Taxes on \$5000 Assessment	<u>\$ 1,960.95</u>	<u>2,011.51</u>	<u>50.56</u>	<u>2.58%</u>

ANALYSIS OF EXPENDITURES BY FUNCTION

CONSOLIDATION OF ALL PANELS

Line No	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17 20	Total
	Salaries and Wages	Employee Fringe Benefits	Travel Expense	Personnel Training	Bursaries & Student Aid	Books and Films	Energy Costs	Repairs Buildings and Grounds	Supplies and Services	Replacement Equipment	Debt Charges	New Equipment	Capital From Current	Permanent Improvement	Rentals	Fees & Contract Services	Transfers to other Boards & Others	
	008	016	024	032	040	046	047	048	048	056	064	064	064	064	072	080	088 096	
010 Business Administration	3,480,960	637,342	16,929	121,706		15,137			475,359			17,472			1,400	74,500	6,500	4,847,305 010
011 General Administration	897,499	84,044	26,239	49,638		2,337			84,164			2,462				433,651	81,145	1,681,179 011
020 Computer Services	1,057,237	189,692	4,781	18,861		88,801			565,194			23,720			1,565,745	51,153	750	3,565,934 020
030 Instructional General																		030
032 Instructional Administration	8,027,358	853,720	159,805	188,253		185,971			532,647			171,335			150	16,000	71,370	10,208,809 032
034 School Services	8,051,978	1,236,262	1,874	2,288		574,300			1,235,213			1,440			538,317		2,785	11,844,657 034
036 Regular Day School	145,045,286	12,764,636	44,820		117,775	764,725			4,307,534			1,777,382			825,000	50,000	1,885	165,498,843 036
037 Special Education Program & Services	17,087,659	1,836,820	2,828						41,650			50,000				9,500	100	19,028,557 037
038 Special Education Trainable Retarded	2,898,844	431,442	2,215						37,253						25,000		100	3,394,854 038
039 Educational Research & Evaluation	235,555	35,169	1,660	1,555		697			28,443			1,020						304,099 039
040 Driver Education - Heritage Language	200,000								12,993								10,000	222,993 040
041 Summer School	415,000					838			5,351								300	421,489 041
042 Contin. Education Citizenship & English																		042
044 Contin. Education Evening Sch & Other	2,257,191	25,087	2,408			22,425			141,240						5,500		600	2,454,451 044
070 Plant Operation	15,554,925	3,869,856	18,961	4,833		703	5,312,283	160,000	2,166,578						23,020	227,349	400	27,339,008 070
075 Plant Maintenance	888,377	378,094	14,643	8,365		1,044	30,000	3,826,500	-40,445			47,229			6,980	141,786	600	5,303,173 075
076 Transportation Administration	117,828	18,992	124	291					601								100	137,936 076
077 Transportation Home to School																5,164,892		5,472,463 077
078 Transportation Home to OSDB	287,054	20,517														21,924		21,924 078
079 Transportation Board - Lodging																		079
080 Transportation School to School																240,100		240,100 080
081 Transportation Other																65,100		65,100 081
082 Tuition Fees																	4,567,148	4,567,148 082
083 Capital Expenditures (non-allocable)													2,311,000	782,606				3,093,606 083
087 Debt Charges											2,487,696							2,487,696 087
088 Other Operating Expenditures	118,656	21,789	2,250			21,009	72,812	49,500	172,592								331,296	793,704 088
099 Non Operating Expenditures	2,359,455	190,231					106,905		103,715								7,665,962	10,426,268 099
Municipal Charge Backs																	2,596,289	2,596,289
Provision for Reserve - Working Funds																		
Provision for Reserve - Refund of Taxes																		
Provision for Reserve - Ministry Equity																		
Provision for Reserve - Board Equity																		
Provision for Reserve - Other																		
Total 1993	208,980,862	22,593,693	299,337	395,790	117,775	1,677,987	5,523,000	4,036,000	9,870,082		2,487,696	2,092,060	2,311,000	782,606	2,794,112	8,496,055	15,337,530	285,795,585
Total 1992	207,670,591	21,979,092	322,319	459,010	117,775	2,014,977	5,212,110	4,072,328	10,911,895		2,333,088	1,420,825	2,864,000	888,581	2,632,509	6,792,262	7,700,879	277,392,241
Increase/Decrease	1,310,271	614,601	-22,982	-63,220		-336,990	310,890	-36,328	-1,041,813		154,608	671,235	-553,000	-105,975	161,603	-296,207	7,636,651	8,403,344
Percent Change	.6	2.8	-7.1	-13.8	.0	-16.7	6.0	-9	-9.5	.0	6.6	47.2	-19.3	-11.9	6.1	-4.4	99.2	3.0

9.

CITY OF HAMILTON
- RECOMMENDATION -

DATE: April 8, 1993

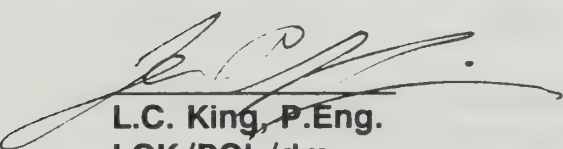
REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: L.C. King, P.Eng.
Chairman, Development Charges Subcommittee

SUBJECT: Complaint under the Development Charges Act
Silverton Avenue Subdivision
(93.2.4.2.1.A, 93.4.2.1.A)

RECOMMENDATION:

After hearing the evidence and submission of the complainant, Joe Di Cienzo representing 712176 Ontario Limited, the Council of the Corporation of the City of Hamilton hereby confirms the development charges imposed on the property located at Lots 1, 2, and 9 Silverton Avenue as having been properly imposed pursuant to the City of Hamilton Development Charges By-law #90-74, as amended. Furthermore, with respect to the remaining ten lots in the subdivision, the normal fee should be charged in accordance with the by-law be applied.



L.C. King, P.Eng.
LCK/PCL/dm
Encl.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The City will retain the \$3,669.60 paid by the applicant for the first three lots.

BACKGROUND:

The subject lands of which the property is a parcel is a plan of subdivision which was registered on March 16, 1990. The registration of this plan of subdivision predates the passing of the Development Charges By-law which was passed on

March 26, 1990. Applications for building permits were made on March 16, March 25, and April 8, 1993, two of the building permits were subsequently issued on March 25 and March 29, 1993, and the third one is under review. At the time of the building permit issuance/application, the owner, Anthony DiCenzo, was required to pay City development charges of \$3,669.60. The fee is based on a 40% reduction in the original rate structure and includes a \$1,500 credit paid under the subdivision agreement.

The Development Charges Staff Subcommittee met and reviewed the complaint by the owner of this property and did not agree to the complaint for the following reasons:

- (a) When the City approved City of Hamilton Development Charges By-law #90-74 on March 26, 1990 various options were presented at the Finance and Administration Committee which outlined the effects of implementing the by-law. The option which was chosen at that time which was to make the development charges applicable and payable upon the date of building permit application. In fact, Section 21 of the by-law reads as follows:

"21. Notwithstanding any other provision of this by-law, where an application for a building permit under City of Hamilton By-law #85-86 is submitted to the Building Department of the City of Hamilton prior to the date of enactment of this by-law, the development charge rate in effect prior to the date of enactment of this by-law shall apply."

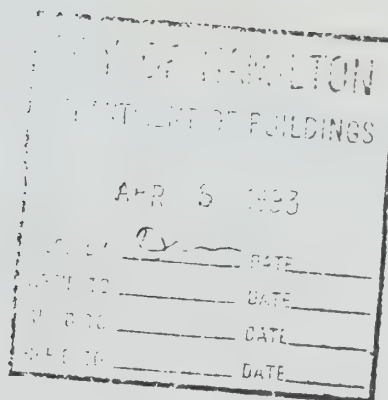
In this way, the City did not exempt previously approved subdivision agreements from payment of the development charges.

- (b) The developer has obtained a \$500 credit for each lot as previously paid for under the approved subdivision agreement.

The Development Charges Act under Section 14 specifically gives the owner the right to obtain credit for payments previously paid under an existing agreement. Section 14.(1) states as follows:

"14.(1) If an owner or a former owner has, before the coming into force of a development charge by-law, paid all or any portion of a charge related to development pursuant to an agreement under section 50 or 52 of the Planning Act, 1983 or a predecessor thereof with respect to land within the area to which the by-law applies, the municipality shall give a credit for the amount of the charge paid."

April 8, 1993



Len King, Building Commissioner
Building Department
City Hall
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Mr. King:

RE: City Development Charges

I am requesting a refund of the City Development Charges in the amount of \$3,669.60 which I paid under protest for lots 1, 2 and 9 in the Silverton Avenue Subdivision (Plan 62M-653). I am also requesting to be exempt from the City Development Charges for the remaining 10 lots in this subdivision.

Yours truly,

A handwritten signature in cursive script, reading "Joe Di Cienzo".

Joe Di Cienzo
5787 Twenty Road East
Group Box 40
Hannon, Ontario
L0R 1P0
Phone: 679-6580

URBAN/MUNICIPAL

CANONHB4 AOS
CEIF31
1993



Urban/Municipal Librarian
Public Library
2nd Floor

NOTICE OF MEETING

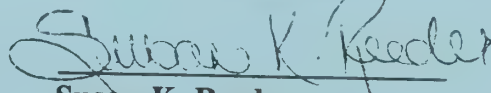
FINANCE AND ADMINISTRATION COMMITTEE

Thursday, 1993 May 6th
9:30 o'clock a.m.
Room 233, City Hall

URBAN MUNICIPAL

MAY 04 1993

GOVERNMENT DOCUMENTS


Susan K. Reeder
Secretary

Note: Delegations will be heard at 10:30 o'clock a.m.

A G E N D A

1. PRESENTATION

Fire Department - Chief Baker. (no copy)

2. ALDERMAN COOKE

Request for Support - Third Annual Steel City Senior Bowl Highschool Football All-star Classic.

(a) Information Report - Secretary, Finance and Administration Committee.

3. HAMILTON PUBLIC LIBRARY BOARD

1993 Operating Budget Bridge Financing.

4. DIRECTOR OF PROPERTY

Policy on the Acquisition and Display of Plaques, Posters, Memorabilia and Awards in City Hall (as amended by the Ad Hoc Committee appointed by the Finance and Administration Committee to review the proposed policy).

5. CONSENT AGENDA

6. RESOLUTIONS

- (a) City of Burlington - Prohibiting the Distribution of Adult Videos in Municipalities.
- (b) City of Stoney Creek - Proposed Cable TV Rate Increases by Rogers Cable TV.
- (c) Town of Geraldton - Opposition to A.M.O. negotiating on behalf of the Town with the Premier and the Government of Ontario respecting a "Social Contract".

7. ICE STORM DAMAGE - STATUS REPORTS

- (a) Information Report - Director of Public Works.
- (b) Information Report - Treasurer.

8. GRANTS CO-ORDINATOR

Capital Grant Requests - McMaster University and the Venetian Club.

10:30 O'CLOCK A.M. - DELEGATIONS

9. Dr. C. Pathak, "Adult World", 212 John Street North - Appeal of Licence Fee.

- (a) Information Report - City Clerk

10. Alderman F. Eisenberger, Hamilton East Kiwanis and the Beach/Woodward Neighbourhood Association - year round recreational facilities in the former Lakeland Pool site.

- (a) Information Report - Chief Administrative Officer.

11. IN CAMERA AGENDA

12. OTHER BUSINESS

13. ADJOURNMENT

OUTSTANDING ITEMS

FINANCE AND ADMINISTRATION COMMITTEE

<u>ITEM</u>	<u>DATE REQUESTED</u>	<u>ACTION BY</u>	<u>REPORT DUE BY</u>
1. (a) Policy to exempt Parking Authority from realty and business tax.	1990 February 23 & 1990 March 22	Treasurer	
(b) Examine feasibility of directing the net revenue from parking fines into the Reserve Account.	1990 March 22	Treasurer	
2. Rationale of Development Charges on 84 Birmingham Street.	1992 April 9	Building	
3. Additional Proposed Development Charges Amendments.	1992 April 23	Building	
4. Commonwealth Plaza Lighting.	1992 June 25	Property	
5. Report on procedures to be used in regulating the sale of merchandise by charitable and non-profit groups.	1992 December 3	City Clerk	

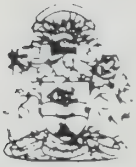
OUTSTANDING ITEMS

FINANCE AND ADMINISTRATION COMMITTEE

PAGE 2

<u>ITEM</u>	<u>DATE REQUESTED</u>	<u>ACTION BY</u>	<u>REPORT DUE BY</u>
6. Report on overview of all types of licences issued and fees for Committees consideration of rationale.	1992 December 3	City Clerk	1993 June 24 meeting
7. For the 1993 February meeting, a discussion paper will be presented by the Licence Division on a revised Taxicab By-law.	1992 December 3	City Clerk	going first to Taxi Advisory Committee
8. City Hall Grounds Study - being reviewed by interest groups for input.	1993 January 21	Arts Co-Ordinator	
9. Report - Partnership Agreements at the Hamilton Farmers' Market.	1993 January 21	City Solicitor	
10. Review of request by Junior Achievement to utilize vacant space at the Kenilworth Avenue Police Station.	1993 February 18	Chief Administrative Officer	
11. Report - Ad Hoc Committee on Tobacco Control Policy forwarded from Regional Council.	1993 February 18	City Clerk, Solicitor	
12. Women's Safety Audit Project Report - Chief Administrative Officer to meet with the Status of Women Sub-Committee and staff and report back on the implementation procedures.	1993 March 25	Chief Administrative Officer	
13. Report back - Ad Hoc Street Vendors Task Force.	1993 March 25	City Clerk	
14. Report back - Draft resolution for submission to A.M.O. respecting permissive legislation for the extension of hours of operation for licensed restaurants and bars.	1993 April 8	City Solicitor	
15. Task Force to revisit the issue of the procedures in allocating Grant Funds.	1993 April 22	Task Force of Mayor Morrow, Alderman Cooke, Alderman Agro, Alderman Drury, Alderman Agostino	

1993 April 30



CITY COUNCIL
HAMILTON, CANADA

Alderman Terry Cooke
Chairman, Police Services Board

71 MAIN STREET WEST L8N 3T4 • (416) 546-2730 • RES. (416) 521-1087 - WARD 1

March 15, 1993

2.

Mrs. Susan Reeder, Secretary
Finance & Administration Committee

RE: Third Annual Steel City Senior Bowl

Dear Mrs. Reeder:

Can you please place the attached letter on the agenda for the next meeting of the Finance and Administration Committee.

Thank you kindly in advance for your assistance.

Yours very truly,

Terry Cooke/ck

Terry Cooke
Alderman, Ward 1

/ck
Encl.

cc: Mr. Steve Bruno
McMaster University
Department of Athletics
IWC - Room 218
1280 Main Street West
Hamilton, Ontario
L8S 4K1

March 10, 1993

Handwritten:
Bowl
to Cook

Alderman Terry Cooke
City Hall
71 Main Street West
Hamilton, ON L8N 3T4

Dear Terry,

I am calling upon you once again to request the City of Hamilton's support towards the third annual Steel City Senior Bowl high school football all-star classic.

The game is gradually becoming a true tradition in our city. This years event will be part of a football spectacular weekend in partnership with the C.F.L./Hamilton Tiger Cats Hall of Fame game and the Hall of Fame induction of former C.F.L. greats.

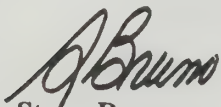
The game is slated to be played on Thursday, June 24, 7:30 p.m. at Ivor Wynne Stadium. The event will feature Hamilton area senior high school football players representing approximately 100 athletes in an east/west format and will have extensive media coverage.

We trust the city will support this popular event and the youth of Hamilton and will give serious consideration to hosting a post game reception. As well, we would like to see our city officials take part in the various activities planned around the game.

I should also mention that our volunteer committee is committed to a local charity which will be announced shortly. Should you require further details, please do not hesitate to contact either myself or Co-chair John Michaluk.

In closing, we look forward to your continued support towards the Hamilton football tradition.

Sincerely,



Steve Bruno
McMaster University
Department of Athletics
IWC - Room 218
Phone: 525-9140 X3566

John Michaluk
Hamilton Tiger Cats
14 Hughson St. South
Hamilton, ON L8N 4H3
Phone: 527-1508

OFFICE OF THE CITY CLERK
MEMORANDUM

2(a.)

TO: Alderman D. Ross, Chairperson
and Members,
Finance and Administration Committee

YOUR FILE:

FROM: Susan K. Reeder, Secretary
Finance and Administration Committee

OUR FILE:
PHONE:

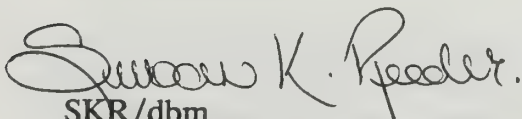
SUBJECT: Third Annual Steel City Senior Bowl

DATE: 1993 April 30

For the information of the members of the Finance and Administration Committee the City has provided sponsorship in the amount of \$1,000. for this event since its inception in 1991.

These funds are used to assist in defraying expenses to be incurred in staging a post-game reception for the players and coaches of the All-star Football Teams participating in the Annual Steel City Senior Bowl.

Funds for this expenditure have been charged to the Special Civic Receptions and Delegation Hosing Account No. CH 55314 84010, and I have confirmed with the Grants Co-Ordinator that funds are available in this account.


SKR/dbm

c.c.- Alderman T. Cooke

- Kevin Beattie, Grants Co-Ordinator, Treasury Department

HAMILTON PUBLIC LIBRARY BOARD

- RECOMMENDATION -

3.

DATE: 1993 April 30

REPORT TO: Alderman Don Ross, Chairman, Finance and Administration Committee

ATTENTION: Susan Reeder, Secretary, Finance & Administration Committee

FROM: John Syko, Chairman, Hamilton Public Library Board

SUBJECT: 1993 Operating Budget Bridge Financing

RECOMMENDATION:

That the City of Hamilton approve \$225,750.00 as bridge financing to Hamilton Public Library for its 1993 operating budget in order to achieve consistency in layoff days with the City of Hamilton CUPE Local 167

That the CEO of the Hamilton Public Library meet with the CAO and Commissioner of Human Resources City of Hamilton in order to ensure that the Library staff reductions in 1993 are consistent with the reductions experienced by City Departments.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The Hamilton Public Library's 1993 salary costs include the 1993 pay equity obligations. These costs, if not alleviated, will result in the unionized staff of the Library experiencing a total of 23 lay off days. The receipt of \$225,700.00 in 1993 will result in the lay-off days being reduced to 15. It is our understanding that this figure is consistent with the lay-off to be experienced by the City's Local 167.

BACKGROUND:

The Hamilton Public Library Board representatives met with the Finance and Administration Committee of Council on Thursday, March 4. At that time the Board presented a number of cost reduction strategies. These strategies are listed in attachment # 1. The proposal to close Concession Library during construction has been reconsidered and alternate strategies developed. These strategies are listed in attachment #2. The Library Board will be developing further strategies to achieve the necessary permanent budget reduction in 1993 which amount is equivalent to 15.5FTE.

The viability of the Library system is in jeopardy. Since 1980 there has been a dramatic increase in the use of the Library system and the Library Board has responded by achieving expansion of service while decreasing its staff complement. Please see attachment #3 which documents use increases from 33% to 136% with accompanying staff decreases. Please note that attachment #4 details the expected decrease in the Library's staff complement from March 31/92 to December 31/93.

It is startling to note the dramatic rate of decrease from approximately 3% annually to some 7%. We are concerned that the rate of decrease for the Library is substantially greater than for the Departments of the City.

The affect on service levels, which will be out of proportion to the rest of the Municipal Services, will be the result of legislation directed at correcting the inequities of the female dominated work place. The Board's opportunity to contain salary costs is limited by the City of Hamilton's salary policies. If salary costs cannot be curtailed through negotiation or Provincial Legislation, the continuing expectation that operating budgets will be curtailed through "staff downsizing" will seriously jeopardize the effective delivery of library service to the Hamilton community.

The Hamilton Public Library continues to experience the highest use per capita of any public library in Ontario serving a population of plus 250,000. The Library Board establishes service priorities through an annual strategic planning process which encourages input from our users. The Library is an effective and responsible community partner which strives to meet the expectations of its thousands of users within ongoing budget constraints. The quality of its initiatives have been recognized, not only locally, but also at the Provincial and National level. The Library Board thanks Council for its past support that has made the current level of service possible.

**Hamilton Public Library
Funding Strategies
1993**

ATTACHMENT #1

Increase in Costs		
Miscellaneous adjustments and inflation	\$37,360	
Pay Equity Appeal Costs	82,000	
Salary and Benefit Costs (including Pay equity and Union 3% and 1% increase)	1,098,650	
Increase required to maintain existing level of service	\$1,218,010	8.50%

Reduction/Revenue Generation Packages (Permanent)		
Security - Branches		(\$24,410)
Security - Central Library		(30,000)
Non Union Redundancies	1.0 FTE	(80,740)
Non Union Reclassifications and Page Hours		(48,970)
Union Redundancies	2.5 FTE	(63,260)
Union Attrition	2.0 FTE	(56,180)
Non Resident User Fees (Revenue)		(10,000)
Fill Administration Assistant internally	1.0 FTE	(42,270)
	6.5 FTE	(\$355,830)

Reduction/Revenue Generation Packages (Temporary)		
Unpaid Union Leave - Article 15.04		(4,000)
Savings from Temporary Vacancies		(27,050)
15 Day Closure (Union)		(417,380)
		(\$448,430)

Additional Funding Strategies to Replace Temporary Closure of Concession during Construction		
Reduction Packages (Permanent) as attached		(\$43,900)
Reduction Packages (Temporary) as attached		(144,100)
		(188,000)

6.5 FTE	(\$992,260)
----------------	--------------------

Balance in Funding Requested for 1993	\$225,750	1.57%
--	------------------	--------------

**Hamilton Public Library
Additional Funding Strategies
to replace temporary closure of Concession during construction
1993**

Permanent Cuts to Budget Base	
Recon	\$10,000
Paper Supplies for CD-ROM PAC's	6,500
Office Supplies (general 10% reduction)	4,000
Operating Supplies (general 10% reduction)	21,400
Gasoline for Bookmobiles, VLS and Maintenance vans	2,000
	\$43,900

One Time Cuts/Revenue to Budget Funding	
Pay Equity Funding to be received from Province	\$37,000
Reserve for Automotive Equipment Replacement (Funds not transferred to reserve for 1993)	35,000
Reserve for Repairs to Grounds (Funds not transferred to reserve for 1993)	9,000
Binding	10,000
No Supplement for C.O.M. (microfiche) catalogue	8,000
Painting of Branches (Normal schedule of painting one branch per year deferred for 1993)	9,550
Replace Administrative Assistant to C.E.O. internally	21,000
Temporary vacancies	14,550
	\$144,100

Additional Funding Strategies	\$188,000
--------------------------------------	------------------

NOTES:

The above strategy has been prepared based on the following assumptions as discussed by the Board Chairman with City Officials.

1. Library Union staff will undergo fifteen (15) days layoffs.
2. Non Union staff will not incur layoff days (non union staff have given up 1993 annual increase).
3. The Library will close the same days as the City.
4. The Library will implement non-resident user fees as soon as possible and will search out other revenue enhancement initiatives.
5. Any vacant position will be filled by internal applications with training as required. Prior approval of the Board would be required to fill vacancies with outside applicants.
6. The City will bridge the funding difference.

HAMILTON PUBLIC LIBRARY

SERVICE COMPARISON

1980 – 1992

	Location Size in Square Feet		Increase in Circulation 1980 – 1992	Increase (Decrease) in Staff Complement 1980 – 1992
	1980	1992		
BARTON	6,300	6,300	33%	(0.5) FTE
CONCESSION	3,400	3,400	55%	0.0 FTE
KENILWORTH	8,000	8,000	58%	0.0 FTE
LOCKE	1,450	1,450	99%	0.0 FTE
PICTON	3,200	3,200	56%	(0.5) FTE
RED HILL	3,900	11,700	85%	0.5 FTE
SHERWOOD	5,200	21,000	111%	4.0 FTE
TERRYBERRY	18,000	27,000	95%	3.0 FTE
WESTDALE	7,750	7,750	44%	0.0 FTE
CENTRAL	163,000	163,000	136%	(22.5) FTE
				(16.0) FTE

1980 System circulation per capita = 6
1992 System circulation per capita = 12

NOTES

Barton – Scheduled for renovations 1994/95

Concession – New building of 8,500 square feet opens in 1994 without increase in staff complement.

Kenilworth – Extensive renovations were completed in 1987.

Locke – Renovations scheduled for 1993.

Picton – Lease renewed and renovations undertaken in 1992.

Red Hill – Renovated and expanded in 1989

Sherwood – New facility opened in 1991

Terryberry – Addition and renovations completed in 1991

Westdale – Renovations scheduled for 1996/97.

STAFF COMPLEMENTHAMILTON PUBLIC LIBRARY

YEAR	STAFF COMPLEMENT	+/- # OF FTE'S	% CHANGE
1980	238 FTE		
1990	236 FTE	-2	(.84%)
1991	229 FTE	-7	(2.9%)
Mar 31/92	222 FTE	-7	(3.0%)
Mar 31/93	215.5 FTE	-6.5	(2.9%)
Dec 31/93	201 FTE	-15.5	(7.19%)

4.

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 29

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

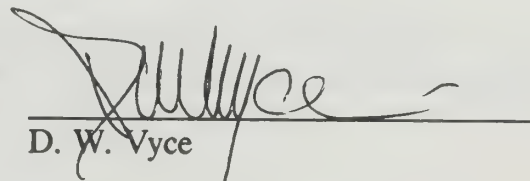
APR 29 1993

FROM: D. W. Vyce
Director of Property

SUBJECT: Policy on the Acquisition and Display of Plaques,
Posters, Memorabilia and Awards in City Hall

RECOMMENDATION:

That the policy on the acquisition and display of plaques, posters, memorabilia and awards in City Hall, attached hereto as Appendix "A", be approved.


D. W. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendation.

BACKGROUND:

The Finance and Administration Committee has noted that an increasing number of plaques, posters, memorabilia and awards (hereinafter referred to as "memorabilia") are being offered to the City for permanent/temporary display, and has discussed the best approach to receiving the "memorabilia" and suitably displaying it in City Hall. The Committee recognizes that requests for wall/floor space in the building cannot all be accommodated at any one time, and while the Committee wishes to provide some display space, it also desires to maintain the aesthetic integrity of the building.

A formal policy with respect to the display of "memorabilia" has been lacking. Recently a formal policy with respect to Art in Public Places was adopted by Council. This deals with fine art, and specifically excludes "memorabilia".

April 29, 1993

Finance and Administration Committee

Page 2

The policy, attached hereto, outlines policy objectives, existing conditions, a proposed administrative system for handling requests, criteria used to evaluate the request and siting areas. Exhibit "B" provides a current inventory of "memorabilia" located in the public areas of the first and second floors of City Hall.

DWV/dcr

attch.

c.c. Alderman D. Ross, Ad-Hoc Committee Member
Alderman G. Copps, Ad-Hoc Committee Member
Alderman D. Agostino, Ad-Hoc Committee Member
R. Sugden, Director of Culture & Recreation
Attention: C. York
P. Noé Johnson, City Solicitor
J. J. Schatz, City Clerk
R. Swan, Manager, Building Operations & Maintenance

POLICY ON THE ACQUISITION AND DISPLAY OF PLAQUES, POSTERS, MEMORABILIA AND AWARDS IN CITY HALL

March, 1993

1. Objectives of New Policy

- a) To provide guidelines for the acceptance or rejection of a request by individuals or groups to donate plaques, posters, memorabilia or awards (hereinafter called "memorabilia") to The Corporation of the City of Hamilton for display in the public areas of City Hall.
- b) To provide limited opportunities for citizens to express their pride in the City through displays of "memorabilia" in City Hall.
- c) To maintain the design integrity of the building's creator, S. M. Roscoe, Architect.
- d) To maintain the physical structure and condition of the building's various elements in good order.
- e) To provide a central administration location for business of The Corporation of the City of Hamilton which demonstrates pride, a sense of purpose and welcome.

Note:

The objective of this policy is to deal with awards, memorabilia, posters or plaques proposed for display in City Hall which was specifically excluded in the Art in Public Places policy adopted by City Council on November 10, 1992. The Arts in Public Places policy addresses the placement of public art (fine art pieces only) within public accessible areas of all municipal property.

2. Existing Conditions

Preamble

In the interior public spaces of Hamilton City Hall, designed by S.M. Roscoe, materials used for walls and support structures are limited to wood, marble, metal and glass. Each element is designed to make the most of its own aesthetic qualities and to contribute a further dimension of harmony and beauty to the other materials. The use of decorative inlaid mosaic tiles is a treatment continued throughout the building, on both interior and exterior surfaces. Wood elements are finely finished and matched and bring warmth to the combination of harder surfaces. The decorative finishes of the building's interior are complemented by custom wall murals at the entrance to the elevator banks on the second floor. However, it may be problematic to introduce new wall treatments in the form of two dimensional artworks unless a suitable arrangement for hanging pieces is designed - one which would not place any stress on the walls.

The interior of City Hall contains a variety of objects on display, many of which have been gifted to the City. Visitors and employees will often see tours of school children being conducted through the first and second floor lobbies while a guide explains the significance of wall murals and historic furniture.

Over the past thirty years, a number of elements have gradually been introduced to the two main lobbies. It is now time to examine the general appearance of these important public spaces and to re-evaluate their finest use. These areas on the first and second floors are the ones which give our visitors their first impressions as they advance through the space and up the staircase to the grand Council Chamber.

Rather than disperse a variety of elements randomly through the spaces, one approach is to designate specific areas for specific uses. For instance, the panelled walls leading to the glass doors of the Council Chambers have traditionally been the backdrop for photographs of elected officials. These walls could logically and comfortably continue to provide a setting for the historical pictorial record.

Large name plaques for particular awards series are mounted on other walls on the second floor.

Trophy and glass and wood display cases are situated at various locations. A permanent display of Ukrainian folk art has been sited on the first floor for many years.

The Mundialization Committee frequently makes use of other display areas to showcase pieces of interest from Hamilton's sister cities.

At the same time, civic groups routinely make use of the floor space on the first and second floors for temporary displays.

Over the Christmas season, seasonal displays are created on the second floor with a large tree and mechanical carollers. Permission is also given for the temporary painting of Christmas-related scenes on the glass doors by a local sign painter. With the addition of special lighting elements outdoors, a large variety of seasonal decorations are introduced.

Public Display Areas

The public display areas such as the foyers on the first and second floors, the lobbies and hallways within City Hall are generally thought of as being the publicly accessible spaces of the building. With the exception of the hallways and lobbies on each floor of the building, these public display areas are confined to the first and second floors of City Hall. Attached hereto as Exhibit "A" are floor plans of the first and second floor of City Hall with the publicly accessible areas shown in heavy outline.

Inventory of Works on Display

A current inventory of memorabilia, plaques, posters, memorabilia, awards and art on display in the publicly accessible areas of the first and second floor of City Hall is listed on Exhibit "B" annexed to this report.

Current Method of Processing Requests

The Finance and Administration Committee has traditionally reviewed donation proposals received by the office of the City Clerk. Donations have in the past been accepted on the terms suggested by the donor and on an ad-hoc basis. The City has in its inventory a wide range of visual artworks, ethnic crafts, plaques, awards and memorabilia. The Finance and Administration Committee has noted that an increasing number of "memorabilia" are being offered to the City for permanent/temporary display and has discussed the best approach to receiving the "memorabilia" and suitably displaying it in City Hall.

3. Administration

Recommendations

- a) That the co-ordinating staff function associated with the display of "memorabilia" in City Hall be established within the Property Department.
- b) That the Property Department co-ordinate the placement of "memorabilia" in City Hall with the Department of Culture and Recreation who has the co-ordinating staff function associated with a public art programme and Arts in Public Places Policy and the City Clerk who deals with programming of the space in general.
- c) That a piece of "memorabilia" not be accepted if there is any question as to its legal title, if ownership of the "memorabilia" by the City could be deemed to be objectionable to the Hamilton community, or if it is of such a nature that it cannot be properly cared for by the City.
- d) That the cost of any replacement "memorabilia" as a result of vandalism or theft, shall be the responsibility of the person or organization making the original donation.

Background

The Corporation of the City of Hamilton shall be responsible for establishing and amending all policies relative to the acceptance or rejection of "memorabilia" proposed for display in City Hall. Having regards to the functions, purposes and objects of the City, the City reserves and maintains the rights to refuse to accept any "memorabilia" considered by it to be inappropriate and/or unsuitable to or for the City Hall environment and/or the public served by the City.

Accept criteria include:

- (i) relevance
i.e. City appointed subcommittees, significant historical events, significant contributions to the City of Hamilton
- (ii) adequate storage/display space
- (iii) duplication
- (iv) condition of "memorabilia"
- (v) acceptable to community standards

4. Donations of "Memorabilia"

Recommendations

- a) That individuals or groups intending to make a donation of "memorabilia" to the City of Hamilton for display in City Hall shall communicate that desire in writing to the City, through the Director of Property, providing:
 - (i) reasons for the request to display the "memorabilia" in City Hall and identifying the impact and importance of significant contributions made to the overall growth and development of the City of Hamilton by the individual or group making a donation;
 - (ii) a full description of the "memorabilia" which is being proposed for donation and display in City Hall including any wording contained on the item of donation;
 - (iii) a photograph of the item or the item itself to be donated, if available at the time of submission;
 - (iv) any donor conditions or restrictions;
 - (v) any specific maintenance or display requirements.
- b) That the Director of Property be requested to review all requests using the following criteria:
 - (i) the professional quality of the "memorabilia";
 - (ii) the absence of any donor conditions or restrictions;
 - (iii) the suitability of materials and affects on the aesthetics of City Hall;
 - (iv) maintenance requirements;
 - (v) availability of a suitable site for display/installation;
 - (vi) any wording contained on a piece of memorabilia;
 - (vii) the appropriateness for display in the City Hall environment;
 - (viii) the history/importance of the donating group or individual.

- c) That the Director of Property then forward a recommendation to the Finance and Administration Committee and Council.

5. Siting/Installation of "Memorabilia"

Recommendations

- a) That any instance of siting/installation of "memorabilia" be confined to the public areas on the first and second floors of City Hall as shown on Exhibit "A" with the exception of the panelled walls leading to the glass doors of the Council Chamber, which shall be reserved solely to provide a setting for the historical pictorial record of the City of Hamilton and its elected officials.
- b) That the siting of "memorabilia", the right to relocate or remove a piece, and the duration of placement shall be at the sole discretion of the City.
- c) That an annual review of the inventory on display be undertaken by an Ad-Hoc Committee of the Finance and Administration Committee, the Director of Property and the Director of Culture & Recreation or their designate(s).

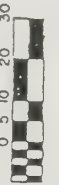
Background

City Hall cannot accommodate on a permanent basis, every piece of art, awards, memorabilia or poster offered to it for display. There is simply insufficient, appropriate wall or floor space within the building; furthermore, the main purpose behind the building and its significance must be maintained.

"Memorabilia" cannot be sited/installed with any guarantee of permanent placement. The City shall always have the right at its sole discretion to relocate or remove a piece of "memorabilia". In the event a piece of "memorabilia" is to be removed, a reasonable attempt will be made to notify the donor and offer its return. If its return is denied, the City shall either place the item in its archives for future reference or display, site the "memorabilia" in another City building or dispose of same. Reasons for de-accessioning or disposal of "memorabilia" may include condition, relevance or status, duplication, lack of storage and display space.

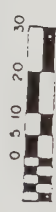


FIRST LEVEL FLOOR PLAN





SECOND LEVEL FLOOR PLAN



INVENTORY OF WORKS ON DISPLAY IN PUBLICLY ACCESSIBLE SPACE OF CITY HALL
March, 1993

First Floor

East Entry - Commemorative plaque: construction of old city hall
 East Entry - Commemorative plaque: In Memory of those who served in Old Wars
 trophy cases (outside Property Dept. doors)
 Brd. of Ed. Co-op Education plaques and mural
 Children's Museum - baffle
 Hamilton Wentworth Composting Facility model (under stairwell)
 Display case (between Community Development & Treasury) - Museum Display
 Ukrainian Display Case
 dolls, pottery, coloured Easter eggs
 plaque: Ukrainian Heritage - Wintario project

William Sherring plaque (outside Treasury)
 Chairman's desk and chairs (outside Treasury)

Second Floor

(outside Council Chambers)

"Great Canadian Participation Challenge" - May 28/85 - 12"x 9"
 "Special Citation for Pedestrian Program Activities" - 1962 - 9"x 12"
 "Special Citation for Pedestrian Program Activities" - 1963 - 9"x 12"
 Display case: Names and photographs of former mayors
 "Pedestrian Program Appraisal" - 1959 - 9" x 12"

(pillar facing Council Chambers)

"Declaration of Mundialization & Twinning"
 (Hamilton & Fukuyama) - Oct. 4, 1976 - 24" x 19"

(opposite side of pillar facing stairwell)

"Commerce Prudence Industry" (c/w 3 seals) - 24" x 24"

(outside Clerk's Office)

Hamilton Status of Women Sub-Committee
 "Woman of the Year" - 1975-1991 - 12" x 24"

Ukrainian Canadian Committee
 (commemorating 50th Anniversary of the famine-genocide in Ukraine
 1932-33) - 12" x 24"

Plaque in memory of 1,000,000 Baltic Citizens deported to slave camps
 during the Soviet Occupation following the Stalin-Hitler Pact 1939 -
 24" x 12"

Hamilton Arts Council Plaque

(opposite wall outside Clerk's Office)

Flag in glass case
 plaque - Squadron Standard - 424 Squadron - Sept. 15/85 - 12" x 24"

(inside Clerk's Office - wall opposite Mayor's office)

Display case - width: 3' height: 6'

Japanese doll, and clock from Fukuyama - Sept. 22/81

2 Table Display Cases - width: 3' height: 3.5'

containing plaques, medals, china, sterling silver ashtrays,
photographs, "Strathcona" book

Display Case - width: 6' height: 6'

containing plaque (Declaration of Twinning), photographs, dolls,
flags, china

ALL SIZES NOTED ARE APPROXIMATE.

FINANCE AND ADMINISTRATION COMMITTEE

THURSDAY, 1993 MAY 6TH

CONSENT AGENDA

A. MINUTES

- (i) Minutes of the special meeting of the Finance and Administration Committee, the Region's Administrative Services Committee and the Region's Finance Committee held Tuesday, 1993 April 27th.
- (ii) Minutes of the regular meeting of the Finance and Administration Committee held Thursday, 1993 April 22nd.

B. CITY CLERK

- (i) Special Occasion Permits - St. Mary's Portuguese Parish Summer Festivals.
- (ii) Use of Facilities - Women's Art Association of Hamilton Exhibit Request.
- (iii) Use of Facilities - Second Annual Green Ribbon of Hope Campaign.
- (iv) Ride for Sight - Use of Forecourt.

C. TREASURER

- (i) Funding - City's Share of "Wisemount Estates - Phase 3".
- (ii) Funding - Proposed Construction of a Finished Roadway on Acadia Drive approximately 50m south of Butler Drive to approximately 200m southerly.
- (iii) Funding - Proposed Construction of concrete sidewalks on the west side of Upper Wellington from Bryna to the north limits of the East-West Freeway.
- (iv) Information Report - Status of Hosting, Receptions and Related Accounts.
- (v) Information Report - Status of Unclassified Revenue and Expenditures as at 1993 March 31st.

D. COMMISSIONER OF HUMAN RESOURCES

- (i) Information Report - Impacts of Work and Family Responsibilities on the Health of Female Municipal Workers in the Hamilton Region: A Pilot Study.
- (ii) Information Report - Jobs Ontario Youth.

E. MANAGER OF PURCHASING

Purchase of Fatigue Uniforms, Hamilton Fire Department.

- (i) Information Report - Fire Chief.

F. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE

Information Items.

A special joint meeting of the City's Finance and Administration Committee, the Region's Administrative Services Committee and the Region's Finance Committee met.

There were present: Alderman D. Ross, Chairperson, Finance and Administration Committee
Alderman B. Charters, Vice-Chairperson, Finance and Administration Committee
Mayor Robert M. Morrow
Alderman T. Cooke
Alderman D. Drury
Alderman G. Cops
Alderman T. Anderson
Alderman V. Agro
Alderman D. Agostino

A (i)

Also present: Alderman M. Kiss
Alderman W. McCulloch
Alderman D. Wilson
Alderman H. Merling
Alderman F. D'Amico
Alderman T. Jackson
Alderman B. Morelli
Regional Councillor Shaw
Regional Councillor Addison
Regional Chairman Reg. Whynott
Regional Councillor Sloat
Regional Councillor MacIntyre
Regional Councillor Etherington
Regional Councillor Hodgson
Regional Councillor Granger
Regional Councillor Southall
Regional Councillor Prentice
J. Pavelka, City's Chief Administrative Officer
M. Carson, Regional Chief Administrative Officer
M. Schuster, Regional Social Services
Cecil Mascarenhas, Director of Finance
M. Watson, Real Estate Division, Property Department
B. Sugden, Director of Culture and Recreation
L. Bourns, Human Resources Centre
J. Thompson, City Clerk's Office
D. Carson, Mayor's Office
J. Johnston, Commissioner of Human Resources
L. King, Building Commissioner
P. Noé Johnson, City Solicitor
P. Baker, Parking Authority
D. Lobo, Director of Public Works
V. Sferrazza, City's Chief Administrative Officer's Office
T. Agnello, City Clerk's Office
R. Cowell, Human Resources Centre
A. Ross, Treasurer
G. Macaluso, H.E.C.F.I.
K. Christenson, City Clerk's Office
S. Hollowell, City Clerk's Office
J. Hindson, Information Systems
M. Main, Traffic Department
J. Schatz, City Clerk
R. Prowse, Regional Clerk
R. Hammel, City Treasury's Department
J. Thoms, Planning Department
J. McAnanama, Chief Librarian
L. Sohal, Legislative Assistant, Regional Administrative Services Committee
C. Biggs, Legislative Assistant, Regional Finance Committee
Susan K. Reeder, Secretary, Finance and Administration Committee

The joint meeting of the City's Finance and Administration Committee, the Administrative Services Committee and the Region's Finance Committee was called for the purpose of receiving an update from staff, respecting the discussions ensuing with the Provincial Government and Employers and Employee Groups of the Province on a Social Contract and Expenditure Control Plan.

It was the recommendation of staff that this meeting should be held In-Camera and the Committees then agreed to move In-Camera to receive the reports from staff on this issue.

The City's Finance and Administration Committee approved the following recommendation:

- (a) That the documents entitled " Jobs and Services: A Social Contract for the Ontario Public Sector" and " Ontario's Expenditure Control Plan" be received; and,
- (b) That the Mayor communicate to the Premier of Ontario the position of the City of Hamilton that further downloading of Provincial costs on the municipal taxpayer is unacceptable and impossible for us and that efforts to control the Provincial deficit not be at the expense of the municipal taxpayer.

There being no further business, the meeting then adjourned.

Taken as read and approved,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1993 April 27**

CA40N HBL AOS

CSIF31

1993

Thursday, 1993 May 6
9:30 o'clock a.m.
Room 233, City Hall

ADDED
A.

The Finance and Administration Committee met.

There were present: Alderman D. Ross, Chairperson
Alderman B. Charters, Vice-Chairperson
Alderman T. Anderson
Alderman V. Agro
Alderman T. Cooke
Alderman D. Agostino
Alderman G. Copps

URBAN MUNICIPAL

Regrets: Mayor Morrow - City Business
Alderman D. Drury - Vacation

MAY - 1993

Also present: Alderman D. Wilson
Alderman B. Morelli
Alderman W. McCulloch
J. Pavelka, Chief Administrative Officer
D. Jones, Human Resources Centre
J. Johnston, Commissioner of Human Resources
P. Noé Johnson, City Solicitor
R. Hammel, Acting Treasurer
T. Bradley, Manager of Purchasing
J. Schatz, City Clerk
D. Vyce, Director of Property
J. McAnanama, Chief Librarian, Hamilton Public Library
K. Beattie, Grants Co-Ordinator, Treasury Department
Fire Chief Baker
P. Barkwell, Law Department
D. Carson, Mayor's Office
Susan K. Reeder, Secretary

GOVERNMENT DOCUMENTS

A G E N D A

1. PRESENTATION - Fire Department - Chief Baker.

Fire Chief Baker highlighted the contents of the 1992 Annual Report for the Fire Department which was distributed to Committee members under separate cover. The Chief outlined the structure of the Fire Department and its functions. He also outlined the hours worked by Firefighters and issues respecting suspected arson fires, and procedures followed in such cases.

Further to a question and answer session, the issue of the Trunking System was raised and questioned.

Alderman Cooke requested information on whether the Fire Department is taking advantage of the Victim Services of Hamilton-Wentworth facilities for victims of fires, similar to the use made by the Hamilton-Wentworth Regional Police Department to assist victims of a fire. It was agreed that as this is not presently done by the Fire Department, that the Chief would look into using their services.

Some discussion ensued with respect to the proposal to regionalize fire services and it was indicated that the area municipalities are not in favour of this. Some discussion then ensued with respect to the recent Airport fire.

The Committee then thanked Chief Baker for his presentation and agreed to receive this for information purposes.

2. **ALDERMAN COOKE - Request for Support - Third Annual Steel City Senior Bowl Highschool Football All-star Classic.**

The Committee was in receipt of a memorandum from Alderman Cooke requesting that the above noted matter be placed before the Committee for consideration.

The Committee was also in receipt of a memorandum from the Secretary of the Finance and Administration Committee dated 1993 April 30, indicating the action taken by the Committee in the past of providing sponsorship in the amount of \$1,000. for this event.

Alderman Cooke spoke to this matter and indicated that in keeping with the economic restraints of the year, that he would be supportive of providing them with a \$500. Grant.

Accordingly, the Committee approved the following:

- (a) That approval be given to provide an amount of \$500. to be used to assist in defraying expenses to be incurred in staging a post-game reception for the players and coaches of the All Star Football Teams participating in the Third Annual Steel City Senior Bowl to be held at McMaster University on Thursday, 1993 June 24th; and,
- (b) That this expenditure be charged to Special Civic Receptions and Delegation Hosting Account No. CH55314-84010.

3. **HAMILTON PUBLIC LIBRARY BOARD - 1993 Operating Budget Bridge Financing.**

The Committee was in receipt of a report from the Chairman of the Hamilton Public Library Board dated 1993 April 30, requesting approval from the City of Hamilton for \$225,750. as bridge financing to the Hamilton Public Library for its 1993 Operating Budget.

Considerable discussion ensued with respect to the appropriateness of the matter being before the Finance and Administration Committee and that the 1993 Current Operating Budget for the Library Board was approved by the Committee of the Whole and the issue of funding needs was also addressed by them.

Accordingly, it was agreed that this matter should be recommended by the Finance and Administration Committee to the Committee of the Whole for discussion and deliberation.

4. **DIRECTOR OF PROPERTY - Policy on the Acquisition and Display of Plaques, Posters, Memorabilia and Awards in City Hall (as amended by the Ad Hoc Committee appointed by the Finance and Administration Committee to review the proposed policy).**

The Committee was in receipt of a revised report from the Director of Property dated 1993 April 29, respecting the above noted matter.

Alderman Agostino requested information with respect to the Hamilton Status of Women Sub-Committee's request for a place to display posters, and it was agreed to defer this matter until such time as the minutes of the previous meetings could be obtained by the Secretary and read to the Committee.

Note: A little later in the meeting the information was obtained and it was indicated that the request of the Hamilton Status of Women Sub-Committee, along with a number of other requests for display in City Hall had been put on hold until the above noted Policy was approved. It was indicated that once a Policy was put in place that all applications previously on hold would be processed under the Policy.

The Committee then approved the following:

That a Policy on the Acquisition and Display of Plaques, Posters, Memorabilia and Awards in City Hall, attached herewith and marked Appendix "A", be approved.

5. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda and approved the following:

A. MINUTES

The Committee was in receipt of Minutes of its special meeting of the Finance and Administration Committee, the Region's Administrative Services Committee and the Region's Finance Committee held Tuesday, 1993 April 27th and the Minutes of its regular meeting held Thursday, 1993 April 22nd and approved these minutes as circulated.

B. CITY CLERK

(i) Special Occasion Permits - St. Mary's Portuguese Parish Summer Festivals.

The Committee was in receipt of a report from the City Clerk dated 1993 April 27, respecting the request from St. Mary's Portuguese Parish for the City's statement of no objection of a Special Occasion Permit for a number of Festivals being held during the Summer months.

The Committee approved this recommendation with the additional wording at the end of the clause "on the condition that the permits specify a time limit of 11:00 o'clock p.m.".

Accordingly, the Committee approved the following:

That the Council of the Corporation of the City of Hamilton deem the annual festivals of the St. Mary's Portuguese Parish to be held 1993 May 30 (Holy Spirit); 1993 July 4 (St. Peter); 1993 August 13, 14 and 15 (Our Lady of the Angels) and 1993 August 21 and 22 (St. Cecilia Feast) to be events of municipal significance and has no objection to the issuance of Special Occasion Permits for these festivals, on the condition that the Permits specify a time limit of 11:00 o'clock p.m.

(ii) Use of Facilities - Women's Art Association of Hamilton Exhibit Request.

The Committee was in receipt of a report from the City Clerk dated 1993 April 26, respecting the above noted matter and approved the following:

- (a) That approval be given to the request of the Women's Art Association of Hamilton to use the east and west second floor lobby areas for an exhibit of visual art from 1993 October 1 to 15; and,

- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

(iii) Use of Facilities - Second Annual Green Ribbon of Hope Campaign.

The Committee was in receipt of a report from the City Clerk dated 1993 April 26, respecting the above noted matter and approved the following:

- (a) That approval be given to the request of the Hamilton-Wentworth Chapter of Child Find Ontario to use the forecourt, or in the event of inclement weather, the first floor foyer, to set up information tables with donation jars to increase public awareness to the many services, programmes and types of assistance offered to the community with regard to children on Tuesday, 1993 May 25 from 4:00 - 8:00 p.m. to commemorate National Missing Children's Day; and,
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

(iv) Ride for Sight - Use of Forecourt.

The Committee was in receipt of a report from the City Clerk dated 1993 April 26, respecting the above noted matter and approved the following:

- (a) That approval be given to the request of the Ride for Sight Committee to use the City Hall forecourt and related equipment on Saturday, 1993 May 22 at 12:45 p.m. for their annual motorcycle rally to raise funds for eye research in Canada; and,
- (b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.

C. TREASURER

(i) Funding - City's Share of "Wisemount Estates - Phase 3".

The Committee was in receipt of a report from the Treasurer dated 1993 April 22, respecting the above noted matter and approved the following:

That as referred to in Section 19 of the Sixth Report for 1993 of the Transport and Environment Committee, the City's share of "Wisemount Estates - Phase 3" Servicing, at a cost of \$16,688.15, be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".

(ii) Funding - Proposed Construction of a Finished Roadway on Acadia Drive approximately 50m south of Butler Drive to approximately 200m southerly.

The Committee was in receipt of a report from the Treasurer dated 1993 April 28, respecting the above noted matter and approved the following:

That as referred to in Section 24 of the Sixth Report for 1993 of the Transport and Environment Committee, the City Solicitor be authorized to prepare an appropriate By-Law for the construction of a finished roadway on Acadia Drive approximately 50m south of Butler Drive to approximately 200m southerly under the Local Improvement Act at an estimated gross cost of \$111,600. with a City's share of \$22,800. to be financed from the Reserve for Capital Projects (Account Centre No. CH 00203) and the balance of \$88,800., being the Owner's share, to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that an application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$88,800. for a term not to exceed 20 years for the above project.

(iii) Funding - Proposed Construction of concrete sidewalks on the west side of Upper Wellington from Bryna to the north limits of the East-West Freeway.

The Committee was in receipt of a report from the Treasurer dated 1993 April 28, respecting the above noted matter and approved the following:

That as referred to in Section 23 of the Sixth Report for 1993 of the Transport and Environment Committee, the City Solicitor be authorized to prepare an appropriate By-Law to construct concrete sidewalks on the west side of Upper Wellington from Bryna to the north limits of the East-West Freeway under the Local Improvement Act at an estimated gross cost of \$25,300. with a City's share of \$7,144. to be financed from the Reserve for Capital Projects (Account Centre No. CH 00203) and the balance of \$18,156. being the Owner's share, to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$18,156. for a term not to exceed 20 years for the above project.

(iv) Information Report - Status of Hosting, Receptions and Related Accounts.

The Committee was in receipt of an Information Report from the Treasurer dated 1993 April 26, respecting the above noted matter. The Committee agreed to receive this report for information purposes.

(v) Information Report - Status of Unclassified Revenue and Expenditures as at 1993 March 31st.

The Committee was in receipt of an Information Report from the Treasurer dated 1993 April 26, respecting the above noted matter. The Committee agreed to receive this document for information purposes.

D. COMMISSIONER OF HUMAN RESOURCES

(i) Information Report - Impacts of Work and Family Responsibilities on the Health of Female Municipal Workers in the Hamilton Region: A Pilot Study.

The Committee was in receipt of an Information Report from the Commissioner of Human Resources dated 1993 March 25, respecting the above noted matter. The Committee agreed to receive this document for information purposes.

(ii) Information Report - Jobs Ontario Youth.

The Committee was in receipt of an Information Report from the Commissioner of Human Resources dated 1993 April 30, respecting the above noted matter. The Committee agreed to receive this document for information purposes.

E. MANAGER OF PURCHASING - Purchase of Fatigue Uniforms, Hamilton Fire Department.

The Committee was in receipt of a report from the Manager of Purchasing dated 1993 April 29, respecting the above noted matter.

The Committee was also in receipt of an Information Report from the Fire Chief dated 1993 May 3, also respecting this matter.

The Committee approved the following:

That a purchase order be issued to J. P. Hammill & Son Limited, Guelph, to supply and deliver Fatigue Uniforms as and when required during 1993 by the Hamilton Fire Department, being the lowest of three tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be finance through Uniforms, Clothing Account No. CH56104 48001, as follows:

Short Sleeve Shirts	\$21.67 each
Trousers	30.97 each
Uniform Jackets	23.97 each

All taxes extra

F. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items.

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee dated 1993 April 30, respecting the above noted matter.

The Committee approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

- (a) Information Report - Secretary, English Language Sub-Committee - English Language Sub-Committee Meeting dates - dated 1993 April 22nd.
- (b) 1992 Hamilton Fire Department Annual Report.

6. RESOLUTIONS(a) City of Burlington - Prohibiting the Distribution of Adult Videos in Municipalities.

The Committee was in receipt of correspondence from the City of Burlington dated 1993 April 14, respecting the above noted matter.

The Committee approved the following:

That the following resolution from the City of Burlington respecting Prohibiting the Distribution of Adult Videos in Municipalities, be received:

"THAT the Minister of Municipal Affairs and Minister of Consumer and Commercial Relations be urged to support and initiate an appropriate amendment to the Municipal Act to provide Municipalities with the legislative authority to prohibit the distribution (sale and/or rental) of Adult Sex Films within their Municipalities on the basis of Community Standards;

AND FURTHER that this motion be forwarded to the Association of Municipalities of Ontario, the Federation of Canadian Municipalities and to Ontario Municipalities with a population in excess of 75,000 and members of the Federal and Provincial Parliaments requesting support;

AND THAT the Honourable Pierre Blais, Federal Justice Minister and Keith Spicer, Chairman of the Canadian Radio and Television Commission having direct involvement in the jurisdiction of Adult Sex Films be urged to initiate more stringent Federal Legislation to regulate the Industry."

Note: Alderman Copps indicated that she is in favour of endorsing the above noted Burlington resolution.

(b) City of Stoney Creek - Proposed Cable TV Rate Increases by Rogers Cable TV.

The Committee was in receipt of correspondence from the Assistant to the Clerk for the City of Stoney Creek, dated 1993 April 20, respecting the above noted matter.

The Committee agreed to **receive and take no action** on this resolution as follows:

That the following resolution from the City of Stoney Creek respecting competition in the Cable T.V. Field, be received:

"WHEREAS full cable service charges for the City of Stoney Creek has been increased annually since 1986 December; and,

WHEREAS this increase has resulted in annual cable rates increasing from \$72. (1986 December) to \$207.24 plus taxes (1992 December) to \$251.04 commencing 1993 April 29; and,

WHEREAS the Council of the Corporation of the City of Stoney Creek considers these increases excessive; and,

WHEREAS a licensed cable area results in a monopoly;

NOW THEREFORE be it resolved that the Council of the Corporation of the City of Stoney Creek hereby request the C.R.T.C. to investigate the feasibility of changing the licensing procedure so as to allow competition in the Cable T.V. Field.

- (c) Town of Geraldton - Opposition to A.M.O. negotiating on behalf of the Town with the Premier and the Government of Ontario respecting a "Social Contract".

The Committee was in receipt of correspondence from the Mayor of the Town of Geraldton dated 1993 April 21, respecting the above noted matter.

The Committee agreed to **receive and take no action** with respect to the resolution as follows:

That the following resolution from the Town of Geraldton respecting Opposition to A.M.O. negotiating on behalf of the Town with the Premier and the Government of Ontario respecting a "Social Contract", be received:

"WHEREAS the Corporation of the Town of Geraldton did not give the Association of Municipalities of Ontario (A.M.O.) the mandate to negotiate on behalf of the Town with the Government of Ontario on financial matters that may impact on the Town of Geraldton;

AND WHEREAS A.M.O. has not requested the approval of the Town of Geraldton to negotiate a "Social Contract" with the Premier and Government of Ontario;

THEREFORE BE IT RESOLVED that Premier Rae and A.M.O. be informed that the Town of Geraldton does not agree with A.M.O. negotiating a "Social Contract" on its behalf;

AND FURTHER that municipalities in the Province of Ontario be contacted to request their support of the Town of Geraldton's position and that they so inform Premier Rae and A.M.O."

7. ICE STORM DAMAGE - STATUS REPORTS

With respect to the above noted matter, the Committee was in receipt of an Information Report from the Director of Public Works dated 1993 April 29. The Committee was also in receipt of an Information Report from the Treasurer dated 1993 April 29. Some discussion ensued with respect to this matter and it was agreed that the above noted reports be received for information purposes.

8. GRANTS CO-ORDINATOR - Capital Grant Requests - McMaster University and the Venetian Club.

The Committee was in receipt of an Information Report from the Grants Co-Ordinator dated 1993 April 30, respecting the above noted matter.

With respect to the request of McMaster University for a Capital Grant Request, the Committee approved the following:

That the request of McMaster University for a Capital Grant of \$19,000. to purchase equipment with regard to the 1993 World University Games Women's Soccer Championships, be received.

With respect to the Venetian Club, some discussion ensued with respect to this and it was indicated that the Venetian Club is of the understanding that City Council had already previously approved a Grant for 1993 when they approved the Grant for 1992.

Some discussion ensued and the Committee approved the following:

- (a) That a Capital Grant in the amount of \$20,000. be approved for the Venetian Club to offset the final cost of the Club renovations which are necessary for the 1995 World Bocci Tournament; and,
- (b) That funding for this grant be charged to the Capital Grant Account #CF5693-259155007.

Note: Alderman Copps opposed.

10:30 O'CLOCK A.M. - DELEGATIONS

10. Alderman F. Eisenberger, Hamilton East Kiwanis and the Beach/Woodward Neighbourhood Association - year round recreational facilities in the former Lakeland Pool site.

The Committee was in receipt of a letter from Alderman Eisenberger requesting that this matter be placed before the Finance and Administration Committee for consideration.

The Committee was also in receipt of a submission from Doug Kay, Director, Youth Services, Hamilton East Community Services, outlining the joint proposal for operation of Lakeland Pool/Community Centre with the Beach/Woodward Community Council.

The Committee was also in receipt of an Information Report from the Chief Administrative Officer dated 1993 May 3, respecting Lakeland Pool and Community Centre.

The Committee received additional information which was distributed at the meeting from the Delegation. These documents were a package of letters of support for the Lakeland Pool joint proposal, as well as correspondence sent to Alderman Eisenberger from the Hamilton Region Conservation Authority dated 1993 April 29.

Doug Kay and Marie Smith spoke to the Committee as the Delegation for the proposals for Lakeland Pool. Mr. Kay referred to the specifications contained within the information forwarded to members of the Committee on the specifics of the required construction labour and materials required in the rehabilitation of the Lakeland Pool and Community Centre. He also indicated that no alcohol will be served except for special occasions under the auspices of a Liquor Licence Special Occasion Permit.

Mr. Kay then went through the costing schedule to show the following phases:

<u>Phase 1 - Outside Activity Area</u>	- \$25,100.
<u>Phase 2 - Exterior Building Upgrading</u>	- \$30,700.
<u>Phase 3 - Interior Upgrading</u>	- \$46,500.
<u>Total Cost of the Rehabilitation</u>	- <u>\$109,181.</u>

Some discussion ensued with respect to these Dollar figures and the request to the City. It was indicated that Kiwanis money, in the amount of approximately \$10,000., is now available and that this funding is planned to be used for operating expenses. It was also indicated that fund raising efforts are now underway along with discussions with the Community and that labour costs are being donated.

It was clarified that operating costs for the rehabilitated Lakeland Pool and Community Centre will be covered by fund raising and donations, and that the organizers for this project are looking to the City for capital upgrading costs only.

It was indicated that the Hamilton-Wentworth Conservation Authority supports the proposal and will provide a lease at no cost to the Community Group.

Discussion then ensued with respect to funding and it was indicated that the Capital Contingency Account has a \$500,000. balance presently which could be used if approval is granted.

Alderman Wilson indicated that the possibility of the facility being tax exempt is being pursued.

Following further discussion, the Committee approved the following:

- (a) That a Capital Grant in the amount of \$109,181. be approved for Hamilton East Community Services for the rehabilitation of Lakeland Pool and Community Centre in accordance with the specifications attached herewith and marked Appendix "B"; and,
- (b) That funding for this Capital Grant be derived by making a reduction to the \$500,000. balance in the Capital Contingency Account by the \$109,181. Grant to leave a remaining balance in the Capital Contingency Account of \$390,819.; and,
- (c) That the Capital Grant amount of \$109,181. be charged to the Reserve for Capital Projects Account Centre No. CH 00203.

9. Dr. C. Pathak, "Adult World", 212 John Street North - Appeal of Licence Fee.

The Committee was in receipt of correspondence from Dr. C. Pathak, dated 1993 April 22, requesting that the Licence Fee for the Adult Video Stores under the new City By-law be reduced.

The Committee was also in receipt of a recommendation from the City Clerk dated 1993 May 3, respecting the above noted matter.

Dr. Pathak was in attendance at the meeting and spoke to the Committee with respect to his presentation and his request of a Licence Fee for his Adult Video Store be reduced insofar as the revenues generated from this type of business do not lend themselves to paying this amount of money. He indicated that his store on a monthly basis would clear approximately \$400. after expenses.

The Committee discussed this matter and it was agreed to approve the following:

That no action be taken to reduce the current licence fee for Adult Video stores.

COMMISSIONER OF HUMAN RESOURCES - Update - Social Contract Discussions with the Province

The Commissioner of Human Resources spoke to the Committee with respect to an update on the discussions which are ensuing with the Province on the "Social Contract". Mr. Johnston indicated that the different fiscal years between the Province and the Municipalities is being addressed and the impact that has on the Province's proposal. Mr. Johnston indicated that he feels that some recognition of this impact because of the fiscal years is being recognized.

The issue of the actions taken by Municipalities in restraint areas is being addressed, as well as the initiatives taken for early retirements and sick-time. Mr. Johnston further added that the Municipal staff at the table are putting forth alternative proposals to the Province for solutions to the Provincial deficit situation.

Mr. Johnston also indicated that the issue of a mandate is being looked at, since at this point no mandate has been given by Municipalities for a negotiating body for these talks.

The Committee thanked Mr. Johnston for his update and agreed to receive this report for information purposes.

11. IN CAMERA AGENDA

The Committee met In-Camera to discuss matters of a Private and Confidential nature.

The Committee then moved back into Regular Session and approved the following:

That the City of Hamilton settle Ontario Court (General Division) Action No. 30743/91 on the following terms:

- (a) That the City pay to the Plaintiffs James and Terry Ann McMaster, the sum of \$6,857.86 inclusive of all damages, interest, and costs; and,
- (b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
- (c) That Ontario Court (General Division) Action No. 30743/91 be dismissed, as against the Corporation of the City of Hamilton without costs.

13. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder, Secretary
1993 May 6**

POLICY ON THE ACQUISITION AND DISPLAY OF PLAQUES, POSTERS, MEMORABILIA AND AWARDS IN CITY HALL

March, 1993

Appendix "A" referred
to in Section 2 of the
ELEVENTH Report of the
Finance and Administration
Committee for 1993.

1. Objectives of New Policy

- a) To provide guidelines for the acceptance or rejection of a request by individuals or groups to donate plaques, posters, memorabilia or awards (hereinafter called "memorabilia") to The Corporation of the City of Hamilton for display in the public areas of City Hall.
- b) To provide limited opportunities for citizens to express their pride in the City through displays of "memorabilia" in City Hall.
- c) To maintain the design integrity of the building's creator, S. M. Roscoe, Architect.
- d) To maintain the physical structure and condition of the building's various elements in good order.
- e) To provide a central administration location for business of The Corporation of the City of Hamilton which demonstrates pride, a sense of purpose and welcome.

Note:

The objective of this policy is to deal with awards, memorabilia, posters or plaques proposed for display in City Hall which was specifically excluded in the Art in Public Places policy adopted by City Council on November 10, 1992. The Arts in Public Places policy addresses the placement of public art (fine art pieces only) within public accessible areas of all municipal property.

2. Existing Conditions

Preamble

In the interior public spaces of Hamilton City Hall, designed by S.M. Roscoe, materials used for walls and support structures are limited to wood, marble, metal and glass. Each element is designed to make the most of its own aesthetic qualities and to contribute a further dimension of harmony and beauty to the other materials. The use of decorative inlaid mosaic tiles is a treatment continued throughout the building, on both interior and exterior surfaces. Wood elements are finely finished and matched and bring warmth to the combination of harder surfaces. The decorative finishes of the building's interior are complemented by custom wall murals at the entrance to the elevator banks on the second floor. However, it may be problematic to introduce new wall treatments in the form of two dimensional artworks unless a suitable arrangement for hanging pieces is designed - one which would not place any stress on the walls.

The interior of City Hall contains a variety of objects on display, many of which have been gifted to the City. Visitors and employees will often see tours of school children being conducted through the first and second floor lobbies while a guide explains the significance of wall murals and historic furniture.

Over the past thirty years, a number of elements have gradually been introduced to the two main lobbies. It is now time to examine the general appearance of these important public spaces and to re-evaluate their finest use. These areas on the first and second floors are the ones which give our visitors their first impressions as they advance through the space and up the staircase to the grand Council Chamber.

Rather than disperse a variety of elements randomly through the spaces, one approach is to designate specific areas for specific uses. For instance, the panelled walls leading to the glass doors of the Council Chambers have traditionally been the backdrop for photographs of elected officials. These walls could logically and comfortably continue to provide a setting for the historical pictorial record.

Large name plaques for particular awards series are mounted on other walls on the second floor.

Trophy and glass and wood display cases are situated at various locations. A permanent display of Ukrainian folk art has been sited on the first floor for many years.

The Mundialization Committee frequently makes use of other display areas to showcase pieces of interest from Hamilton's sister cities.

At the same time, civic groups routinely make use of the floor space on the first and second floors for temporary displays.

Over the Christmas season, seasonal displays are created on the second floor with a large tree and mechanical carollers. Permission is also given for the temporary painting of Christmas-related scenes on the glass doors by a local sign painter. With the addition of special lighting elements outdoors, a large variety of seasonal decorations are introduced.

Public Display Areas

The public display areas such as the foyers on the first and second floors, the lobbies and hallways within City Hall are generally thought of as being the publicly accessible spaces of the building. With the exception of the hallways and lobbies on each floor of the building, these public display areas are confined to the first and second floors of City Hall. Attached hereto as Exhibit "A" are floor plans of the first and second floor of City Hall with the publicly accessible areas shown in heavy outline.

Inventory of Works on Display

A current inventory of memorabilia, plaques, posters, memorabilia, awards and art on display in the publicly accessible areas of the first and second floor of City Hall is listed on Exhibit "B" annexed to this report.

Current Method of Processing Requests

The Finance and Administration Committee has traditionally reviewed donation proposals received by the office of the City Clerk. Donations have in the past been accepted on the terms suggested by the donor and on an ad-hoc basis. The City has in its inventory a wide range of visual artworks, ethnic crafts, plaques, awards and memorabilia. The Finance and Administration Committee has noted that an increasing number of "memorabilia" are being offered to the City for permanent/temporary display and has discussed the best approach to receiving the "memorabilia" and suitably displaying it in City Hall.

3. Administration

Recommendations

- a) That the co-ordinating staff function associated with the display of "memorabilia" in City Hall be established within the Property Department.
- b) That the Property Department co-ordinate the placement of "memorabilia" in City Hall with the Department of Culture and Recreation who has the co-ordinating staff function associated with a public art programme and Arts in Public Places Policy and the City Clerk who deals with programming of the space in general.
- c) That a piece of "memorabilia" not be accepted if there is any question as to its legal title, if ownership of the "memorabilia" by the City could be deemed to be objectionable to the Hamilton community, or if it is of such a nature that it cannot be properly cared for by the City.
- d) That the cost of any replacement "memorabilia" as a result of vandalism or theft, shall be the responsibility of the person or organization making the original donation.

Background

The Corporation of the City of Hamilton shall be responsible for establishing and amending all policies relative to the acceptance or rejection of "memorabilia" proposed for display in City Hall. Having regards to the functions, purposes and objects of the City, the City reserves and maintains the rights to refuse to accept any "memorabilia" considered by it to be inappropriate and/or unsuitable to or for the City Hall environment and/or the public served by the City.

Accept criteria include:

- (i) relevance
i.e. City appointed subcommittees, significant historical events,
significant contributions to the City of Hamilton
- (ii) adequate storage/display space
- (iii) duplication
- (iv) condition of "memorabilia"
- (v) acceptable to community standards

4. Donations of "Memorabilia"

Recommendations

- a) That individuals or groups intending to make a donation of "memorabilia" to the City of Hamilton for display in City Hall shall communicate that desire in writing to the City, through the Director of Property, providing:
 - (i) reasons for the request to display the "memorabilia" in City Hall and identifying the impact and importance of significant contributions made to the overall growth and development of the City of Hamilton by the individual or group making a donation;
 - (ii) a full description of the "memorabilia" which is being proposed for donation and display in City Hall including any wording contained on the item of donation;
 - (iii) a photograph of the item or the item itself to be donated, if available at the time of submission;
 - (iv) any donor conditions or restrictions;
 - (v) any specific maintenance or display requirements.
- b) That the Director of Property be requested to review all requests using the following criteria:
 - (i) the professional quality of the "memorabilia";
 - (ii) the absence of any donor conditions or restrictions;
 - (iii) the suitability of materials and affects on the aesthetics of City Hall;
 - (iv) maintenance requirements;
 - (v) availability of a suitable site for display/installation;
 - (vi) any wording contained on a piece of memorabilia;
 - (vii) the appropriateness for display in the City Hall environment;
 - (viii) the history/importance of the donating group or individual.

- c) That the Director of Property then forward a recommendation to the Finance and Administration Committee and Council.

5. Siting/Installation of "Memorabilia"

Recommendations

- a) That any instance of siting/installation of "memorabilia" be confined to the public areas on the first and second floors of City Hall as shown on Exhibit "A" with the exception of the panelled walls leading to the glass doors of the Council Chamber, which shall be reserved solely to provide a setting for the historical pictorial record of the City of Hamilton and its elected officials.
- b) That the siting of "memorabilia", the right to relocate or remove a piece, and the duration of placement shall be at the sole discretion of the City.
- c) That an annual review of the inventory on display be undertaken by an Ad-Hoc Committee of the Finance and Administration Committee, the Director of Property and the Director of Culture & Recreation or their designate(s).

Background

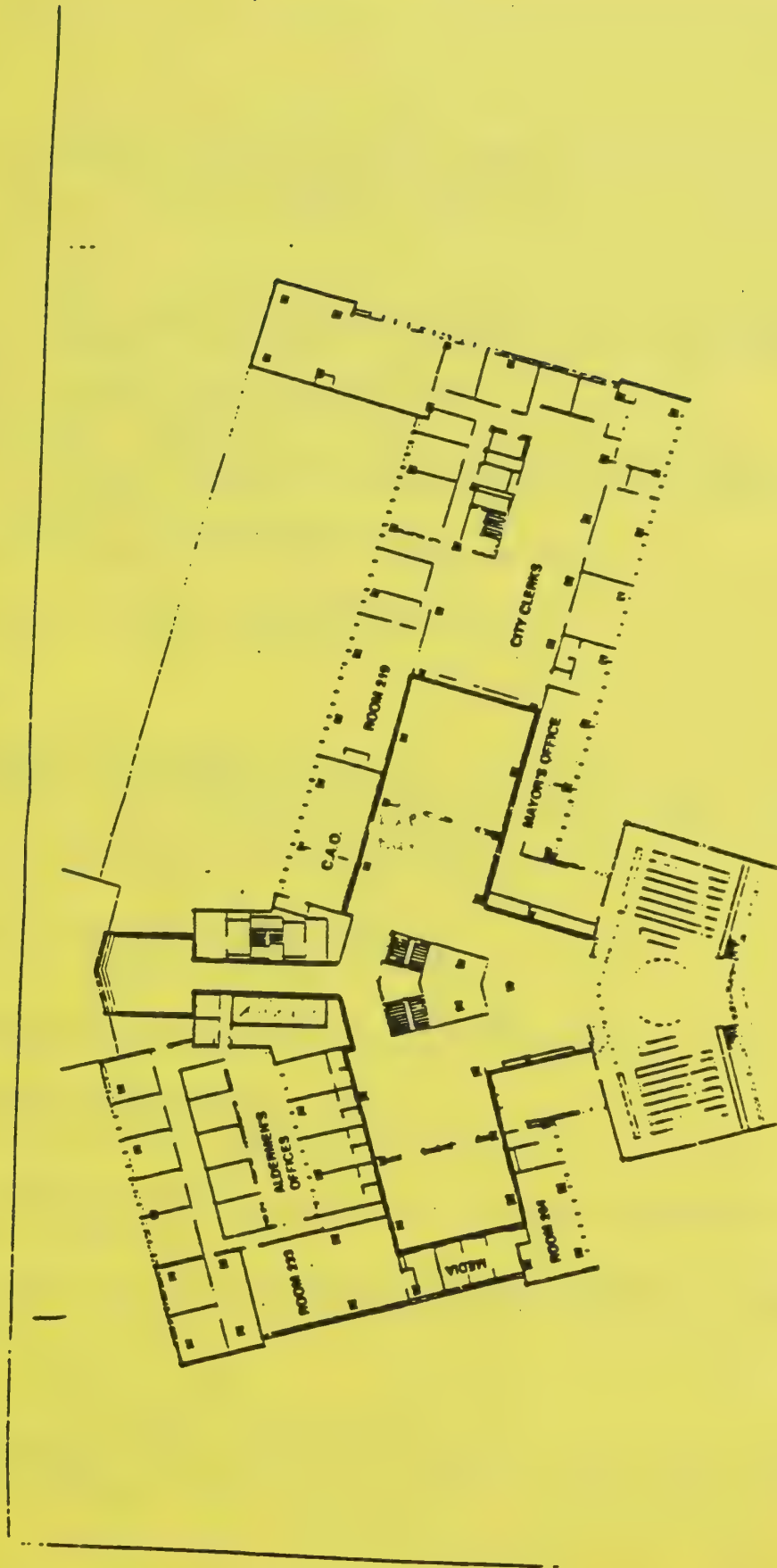
City Hall cannot accommodate on a permanent basis, every piece of art, awards, memorabilia or poster offered to it for display. There is simply insufficient, appropriate wall or floor space within the building; furthermore, the main purpose behind the building and its significance must be maintained.

"Memorabilia" cannot be sited/installed with any guarantee of permanent placement. The City shall always have the right at its sole discretion to relocate or remove a piece of "memorabilia". In the event a piece of "memorabilia" is to be removed, a reasonable attempt will be made to notify the donor and offer its return. If its return is denied, the City shall either place the item in its archives for future reference or display, site the "memorabilia" in another City building or dispose of same. Reasons for de-accessioning or disposal of "memorabilia" may include condition, relevance or status, duplication, lack of storage and display space.



FIRST LEVEL FLOOR P: AN





SECOND LEVEL FLOOR PLAN



INVENTORY OF WORKS ON DISPLAY IN PUBLICLY ACCESSIBLE SPACE OF CITY HALL
March, 1993

First Floor

East Entry - Commemorative plaque: construction of old city hall
 East Entry - Commemorative plaque: In Memory of those who served in Old Wars
 trophy cases (outside Property Dept. doors)
 Brd. of Ed. Co-op Education plaques and mural
 Children's Museum - baffle
 Hamilton Wentworth Composting Facility model (under stairwell)
 Display case (between Community Development & Treasury) - Museum Display
 Ukrainian Display Case
 dolls, pottery, coloured Easter eggs
 plaque: Ukrainian Heritage - Wintario project
 William Sherring plaque (outside Treasury)
 Chairman's desk and chairs (outside Treasury)

Second Floor

(outside Council Chambers)

"Great Canadian Participation Challenge" - May 28/85 - 12"x 9"
 "Special Citation for Pedestrian Program Activities" - 1962 - 9"x 12"
 "Special Citation for Pedestrian Program Activities" - 1963 - 9"x 12"
 Display case: Names and photographs of former workers
 "Pedestrian Program Appraisal" - 1959 - 9" x 12"

(pillar facing Council Chambers)

"Declaration of Mundialization & Twinning"
 (Hamilton & Fukuyama) - Oct. 4, 1976 - 24" x 19"

(opposite side of pillar facing stairwell)

"Commerce Prudence Industry" (c/w 3 seals) - 24" x 24"

(outside Clerk's Office)

Hamilton Status of Women Sub-Committee
 "Woman of the Year" - 1975-1991 - 12" x 24"

Ukrainian Canadian Committee

 (commemorating 50th Anniversary of the famine-genocide in Ukraine
 1932-33) - 12" x 24"

Plaque in memory of 1,000,000 Baltic Citizens deported to slave camps
 during the Soviet Occupation following the Stalin-Hitler Pact 1939 -
 24" x 12"

Hamilton Arts Council Plaque

(opposite wall outside Clerk's Office)

Flag in glass case
 plaque - Squadron Standard - 424 Squadron - Sept. 15/85 - 12" x 24"

(inside Clerk's Office - wall opposite Mayor's office)
Display case - width: 3' height: 6'
Japanese doll, and clock from Fukuyama - Sept. 22/81

2 Table Display Cases - width: 3' height: 3.5'
containing plaques, medals, china, sterling silver ashtrays
photographs, "Strathcona" book

Display Case - width: 6' height: 6'
containing plaque (Declaration of Twinning), photographs, dolls,
flags, china

ALL SIZES NOTED ARE APPROXIMATE.

Thursday, 1993 April 22
9:30 o'clock a.m.
Room 233, City Hall

The Finance and Administration Committee met.

There were present: Alderman D. Ross, Chairperson
Alderman B. Charters, Vice-Chairperson
Mayor Robert M. Morrow
Alderman V. Agro
Alderman G. Copps
Alderman D. Drury
Alderman T. Anderson
Alderman D. Agostino
Alderman T. Cooke

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(ii)

Also present: Alderman D. Wilson
Alderman F. Eisenberger
Alderman T. Jackson
Alderman M. Kiss
J. Pavelka, Chief Administrative Officer
K. Beattie, Grants Co-Ordinator
A. Ross, Treasurer
P. Noé Johnson, City Solicitor
B. Underhill, Treasury Department
J. Schatz, City Clerk
T. Bradley, Purchasing Department
Fire Chief Baker
D. Vyce, Director of Property
M. Mascarenhas, General Manager, Housing Department
P. Lampman, Building Department
P. Barkwell, Law Department
T. Daw, Treasury Department
R. Menagh, Human Resources Centre
S. Dembe, Manager of Licencing
Susan K. Reeder, Secretary

A G E N D A

1. PRESENTATION - English Language Sub-Committee.

Ms. Milena Balta of the English Language Sub-Committee was in attendance to make a brief presentation to the Committee with respect to the functions and activities of the English Language Sub-Committee. Ms. Balta advised that the English Language Sub-Committee was approved by City Council on 1990 October 9, in response to a recommendation by the Hamilton Branch of the Alliance for the Preservation of English in Canada. She added that the Terms of Reference for the Sub-Committee were adopted by City Council on 1990 December 11, which were as follows:

"That the English Language Sub-Committee provide a liaison between the City of Hamilton and the English Speaking Community by looking into the English speaking situation with the authority to recommend solutions and means of actions regarding the problems encountered by Hamilton's English Speaking Community."

These Terms of Reference were subsequently revised by City Council on 1992 May 12, to include the words "under the control and jurisdiction of Hamilton's City Council" at the end of the Mandate.

Ms. Balta indicated that the English Language Sub-Committee has attempted to assist new Canadians to learn and/or improve their English Language Skills by locating English Language classes in the City of Hamilton and making this information available to Ethnic Cultural Groups within the Community.

The Committee thanked Ms. Balta for her presentation and agreed to receive the information presented.

2. CONSENT AGENDA

The Committee was in receipt of its Consent Agenda and approved the following:

A. ADOPTION OF THE MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Committee was in receipt of the minutes of its meeting held Thursday, 1993 April 8th and agreed to adopt these minutes as circulated.

B. CITY SOLICITOR - Amendment to Market By-law No. 92-310 respecting Temporary Stallholder Signage.

The Committee was in receipt of a report from the City Solicitor dated 1993 April 14, respecting the above-noted matter and agreed to approve the By-law for presentation to City Council.

C. CITY CLERK - Use of Facilities - Sri Chinmoy Oneness Peace Run.

The Committee was in receipt of a report from the City Clerk dated 1993 April 14, respecting the above-noted matter and approved the following:

- (a) That approval be given to the action taken by the City Clerk in authorizing Peace Runs International to use the forecourt on Saturday, 1993 April 24, from 3:00 - 6:00 o'clock p.m., for a Welcome Ceremony on the arrival in Hamilton of the Runners in the Sri Chinmoy Oneness -Home Peace Run; and,
- (b) That the City Clerk be authorized to approve of a similar use in future years provided it does not conflict with any other activity.

D. TREASURER

(i) B.I.A. Levy By-laws.

The Committee was in receipt of a report from the Treasurer dated 1993 April 19, consisting of 1993 Levy By-laws for six (6) Business Improvement Areas in the City of Hamilton as follows:

<u>Business Improvement Area</u>	<u>1993 Levy</u>
Westdale	25,000.00
International Village	62,113.00
Ottawa Street North	87,000.00
Concession Street	8,425.00
Downtown Promenade	155,000.00
Main Street West	4,000.00

The Committee approved the above-noted By-laws for presentation to City Council.

(ii) Information Report - Legislative Vehicles.

The Committee was in receipt of a Joint Report from the Treasurer and the Supervisor of the City Garage dated 1993 April 15, respecting Legislative Vehicles. The Information Report indicated that staff propose that the 1988 Lincoln, which was one of two Legislative cars, be deleted from the City Garage Fleet and that the 1992 Chevrolet Caprice be utilized as required for chauffeured legislative travel.

The Committee agreed to receive this Information Report.

E. DIRECTOR OF PROPERTY - Lease Agreement - Greendale Day Nursery Ltd., 44 Greendale Drive.

The Committee was in receipt of a report from the Director of Property dated 1993 April 7, respecting the above-noted matter and approved the following:

- (a) That the Corporation of the City of Hamilton enter into a lease with Greendale Day Nursery Ltd., for a vacant parcel of City owned land located directly west of 44 Greendale Drive, containing approximately 583.4 square metres (6,280 square feet) more or less, being Part 2 of Block O on Plan M-66, to be used for access purposes only; and,
- (b) That the term be for a period of four (4) years, commencing 1993 May 1, and expiring 1997 April 30, at a rental rate of \$700. per year plus any applicable taxes, and proceeds to be credited to Account No. CH 44104 31106 (Rental Civic Property - Civic Properties Rented); and,
- (c) That the Tenant shall have the option to renew the Lease for a further four (4) year period, with the rate and terms to be mutually agreed upon six (6) months prior to the expiry of the lease; and,
- (d) That the Mayor and City Clerk be authorized and directed to execute a Lease Agreement in a form satisfactory to the City Solicitor.

F. SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE - Information Items.

The Committee was in receipt of a report from the Secretary of the Finance and Administration Committee dated 1993 April 16, respecting a number of Information Items which had been forwarded under separate cover.

The Committee approved the following:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

- (a) Minutes - Hamilton Farmers' Market Sub-Committee - meeting held 1993 March 3rd.
- (b) Minutes - Hamilton Status of Women Sub-Committee - meetings held 1993 February 8th and 1993 March 8th.
- (c) Minutes - French Sub-Committee - meetings held 1993 January 8 and 1993 March 12th.

- (d) Minutes - Keep Hamilton Clean Committee - meeting held 1993 March 3rd.
- (e) Joint Information Report - City Solicitor and Building Commissioner - Building Code Prosecution - Appeal of Sentence; Donegal Homes Inc. and E. McEnaney.

3. DIRECTOR OF PROPERTY, FIRE CHIEF, MANAGER OF PURCHASING DIVISION - Contractor Selection for Fire Station 4, Macassa Park.

The Committee was in receipt of a report from the Director of Property, the Fire Chief and the Manager of Purchasing Division dated 1993 April 15, respecting the above-noted matter.

Alderman D. Wilson was in attendance and introduced Tom Beattie, a Union member, respecting concerns of the Union that the Fair Wage Policy requirements contained within Contractor Agreements with the City of Hamilton are adhered to. It was confirmed that the Bidders are aware that the Fair Wage Policy is a mandatory requirement in being awarded a City Contract. It was also confirmed that the Policy must be posted on site and inspection can be done at any time. The Director of Property responded to this situation and clarified that the Policy is in the Tender documents, but that inspections are not done to determine its adherence except on a complaint basis.

It was agreed that the Chief Administrative Officer would look into this matter and also that the Manager of Purchasing has been apprised of these concerns as well.

Some discussion then ensued with respect to whether consideration had been given to a second use for this building, i.e. in conjunction with the Library or the Police or another Government agency. It was clarified that there is not sufficient space within this building as a result of Neighbourhood concerns at the encroachment in the Park already. It was also confirmed that when new buildings are constructed that there is a circularization process with other levels of Government to determine whether consolidation of buildings and thus the resulting costs can be accommodated.

Some discussion then ensued with respect to the abilities of the Company being recommended to do the contract work and the Committee then approved the following recommendation:

- (a) That approval be given to enter into a contract with Frank Bufalino & Sons Construction Ltd. in the amount of Two Million Four Hundred & Twenty Six Thousand, Three Hundred & Eighty Six.....40/Dollars (\$2,426,386.40) for the construction of the New Fire Station 4 on Upper Sherman Avenue, within the N.W. corner of Macassa Park. Necessary Funds are available in Accounts CF 5200 489241009 (Construction Fire Station 4) and CF 5200 629054012 (Parks Development/Re-Development 1990); and,
- (b) That a contract be entered into, satisfactory to the City Solicitor; and,
- (c) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City.

4. GRANTS GRANDFATHER TASK FORCE - Grant Classifications and Alternative Sources of Funding. (previously tabled)

The Committee was in receipt of the report from the Grants Co-Ordinator dated 1993 March 22, respecting the above-noted matter.

A considerable amount of discussion ensued with respect to the recommendations being made by the Grants Grandfather Task Force. Concerns which were expressed were that a percentage of Grant Allocations should be set aside for new groups to receive funding for a first time, as well as the need to continue funding organizations which have received funds for a number of years, and which provide to an integral part of the Community.

It was agreed that a new Sub-Committee should be formed to revisit the issue of Grant Funding and accordingly it was agreed that the following persons would serve on this new Task Force:

Mayor Morrow Alderman Cooke Alderman Agro
Alderman Drury Alderman Agostino

As the hour had reached 10:30 o'clock a.m., the Committee moved to hear Delegations.

10:30 O'CLOCK A.M. - DELEGATIONS

8. BOARDS OF EDUCATION - 1993 LEVY REQUIREMENTS

The Committee was in receipt of correspondence from Mr. A. F. Davidson, Superintendent of Finance, The Hamilton-Wentworth Roman Catholic Separate School Board dated 1993 April 15, indicating its 1993 Levy Requirements.

The Committee was also in receipt of correspondence from Paul E. Shewfelt, Superintendent of Finance and Treasurer, The Board of Education for the City of Hamilton dated 1993 April 13, requesting Levy Requirements for 1993.

Further, the Committee was in receipt of a recommendation from the Treasurer dated 1993 April 21, respecting approval of the 1993 Mill Rates and the Tax Levy By-laws.

Mr. Tony Davidson of the Hamilton-Wentworth Roman Catholic Separate School Board was in attendance to speak to the Committee with respect to his correspondence. Mr. Davidson indicated that the Separate School Board has traditionally matched the same rate as the Public School Board, but that they needed a higher rate to operate and will be required to make cuts to their Budget.

It was agreed to receive the request from the Hamilton-Wentworth Roman Catholic Separate School Board for their 1993 Levy Requirements.

Margaret Cunningham, Chairman of the Board, Mr. Donald Goodridge, Director of Education and Secretary, and Mr. Paul Shewfelt, Superintendent of Finance and Treasurer for the Board of Education for the City of Hamilton were in attendance to speak to their correspondence.

Some discussion ensued with respect to the Board of Education's Reserve Funds and Margaret Cunningham spoke to the Committee on the actions taken by the Board in reducing 100 positions this year. She also indicated that Provincial policies have had detrimental effects on School Boards.

The Committee agreed to receive the request for 1993 Levy Requirements from the Board of Education for the City of Hamilton.

With respect to the recommendation of the Treasurer on the approval of 1993 Mill Rates and the Tax Levy By-laws, the Committee approved the following:

That the 1993 mill rates for the City of Hamilton be approved, and the mill rates for the Region and Boards of Education be received to be included for billing purposes as detailed on the Schedule entitled "Comparison of Components and Total Mill Rates for the Years 1989 to 1993 Inclusive" (Column 6).

Also the Committee approved the following By-laws to fix the rates of taxation for Municipal, Regional, School, and total tax-rates of taxation for 1993, as well as a By-law to levy an annual tax on Telephone Companies doing business in Ontario for presentation to City Council, as follows:

- | | |
|-----------|--|
| Bill H-33 | A By-law to fix the Rates of Taxation for Municipal Purposes for the Year 1993. |
| Bill H-34 | A By-law to fix the Rates of Taxation for Regional Purposes for the Year 1993. |
| Bill H-35 | A By-law to fix the Rates of Taxation for School Purposes for the Year 1993. |
| Bill H-36 | A By-law to fix the Total Rates of Taxation for Municipal, Regional and School Purposes for the Year 1993. |
| Bill H-37 | A By-law to levy an Annual Tax on Telephone Companies doing business in Ontario respecting the Bell Telephone Company of Canada. |

9. COMPLAINT - DEVELOPMENT CHARGES ACT - Silverton Avenue Subdivision - Joe Di Cienzo, representing 712176 Ontario Limited.

The Committee was in receipt of a report from the Chairperson of the Development Charges Sub-Committee dated 1993 April 8, respecting the above-noted matter and recommending that the development charges be confirmed as being properly imposed on the above-noted properties.

Mr. Joe Di Cienzo, appellant, was in attendance to speak to this and indicated that the Region has exempted him from development charges and indicated some hardships he is enduring as a result of developing this property and requested the same consideration that was given to him by the Region.

Peter Lampman of the Building Department spoke to the Committee and clarified that the Regional policy which these properties fell into was to exempt Plans of Subdivision approved prior to the passing of the Development Charges By-law. He indicated that the City chose not to do this because of the enormous amounts of revenue loss that would have been accrued. Mr. Lampman further clarified that this particular property is unique in its closeness of the approved Plan of Subdivision date and the passing of the City's Development Charges By-law.

In taking all of these matters into consideration, the Committee agreed to exempt all thirteen (13) lots of the Silverton Avenue Subdivision from paying City development charges and approved the following:

- (a) That after hearing the evidence and submission of the complainant, Joe Di Cienzo representing 712176 Ontario Limited, the Council of the Corporation of the City of Hamilton, hereby exempts the development charges imposed on the 13 properties located in the Silverton Avenue Sub-Division; and,
- (b) That the Treasurer be directed to refund the amount of \$3,669.60 to Mr. Di Cienzo which he paid for development charges for Lots 1, 2 and 9 in the Silverton Avenue Subdivision (Plan 62M-653).

5. **TREASURER**

(a) **Information Report - Claims for Mileage Expenses.**

The Committee was in receipt of a report from the Treasurer dated 1993 April 16, respecting the above-noted matter, which indicates that requests for mileage expenses for a prior year or years would not be processed unless a bonafide error had been made in the handling of a specific item.

Discussion ensued with respect to the current policy whereby City Aldermen are allowed to claim mileage expenses incurred while travelling in their own vehicle within the City for City business.

The Committee agreed to approve the following:

That notwithstanding Section 29 of the Eighteenth Report for 1990 of the Finance and Administration Committee, adopted by City Council on 1990 May 29th, to provide that the benefit package for Hamilton City Council members be updated to include the increased benefits approved for employees covered by the Collective Agreement entered into by the City and C.U.P.E. Local 167, the enhanced benefit package for City Aldermen shall not include reimbursement of mileage expenses, either current or retroactive, for travelling within the City while on City business.

(b) **Insurance and Risk Management Report - Armour Riley Inc.**

The Committee was in receipt of a report from the Treasurer dated 1993 April 19, respecting the above-noted matter.

The Treasurer spoke to this report and its contents and the Committee approved the following:

- (a) That the Insurance and Risk Management Report, 1993 March as prepared and submitted by Armour Riley Inc. be accepted (copies available from the Secretary or Treasurer); and
- (b) That staff be authorized to take the necessary actions to implement the key recommendations of the report, being:
 - (i) That insurance coverage be placed with insurers through the services of a designated insurance broker; and that the Treasurer be authorized to retain a qualified insurance broker through an advertised request for candidate brokerage firms and a pre-qualification selection process; and,

- (ii) That the Treasurer be authorized to retain the firm of Armour Riley, Inc., Risk Management Consultants, to assist in the development of a pre-qualification selection process criteria for candidate brokerage firms; the criteria for evaluation of the broker applicants, and the selection of at least three brokerage firms to participate in a competitive tender for insurance (based on specifications for insurance to be developed jointly by Armour Riley, Inc. and City staff and allocation of insurance markets); at an upset cost limit of \$16,000.; and,
- (iii) That the insurance and risk management program of the City be enhanced by consolidation of the existing sixteen (16) Property and Liability insurance policies into a reduced number of broadly worded policies for the City, Boards, Commissions, etc. and H.E.C.F.I. and City Companies for each of the following classes of insurance:
 - (1.) Property;
 - (2.) Boiler and Machinery;
 - (3.) Liability - injury or damage;
 - (4.) Director and Officers Liability;
 - (5.) Automobile Fleet; and,
- (iv) That the Treasurer be instructed to report to the Finance and Administration Committee; firstly, for approval of the selected brokerage firms to participate in the competitive tender for insurance and market allocation; and secondly, for the selection of the final broker and placement of insurance coverage; and,
- (v) That the limit of liability insurance coverage be expanded from the present \$14 million and the deductible be restructured to various dollar levels subject to specified annual aggregate limits with the specific coverage and deductibles to be determined from the analysis of the alternate package costings generated from the tendering process; and,
- (vi) That staff prepare a written policy statement for an insurance and risk management program for the City to include objectives, procedures and loss prevention programs for formal approval of the Finance and Administration Committee and City Council.

6. CORRESPONDENCE - Football Hall of Fame and Museum Management Committee - City of Hamilton Parade Float for the 1993 Grey Cup.

The Committee was in receipt of a memorandum from the Secretary of the Football Hall of Fame and Museum Management Committee dated 1993 April 13, requesting that the Finance and Administration Committee reconsider its action in receiving and not approving an upset fee of \$30,000. for the City of Hamilton in conjunction with the Hall of Fame and Museum to parade a float for the parade to be held in Calgary this year.

The Committee agreed to receive and take no action with respect to this correspondence.

7. CHIEF ADMINISTRATIVE OFFICER AND GENERAL MANAGER, HOUSING DEPARTMENT - Information Report - The City's continuing Role in Non-Profit Housing. (tabled from the last meeting)

The Committee was in receipt of a report from the Chief Administrative Officer and the General Manager of the Housing Department dated 1993 April 5, respecting the above-noted matter.

Discussion ensued with respect to this Information Report and it was clarified that the Housing Corporation pays costs through consolidated accounts of the City setup for maximizing investment interest, but that separate books are kept for the Non-Profit Housing Corporation. It was indicated that the City does not budget for support to the Non-Profit Housing Corporation as the funding for the Corporation is totally Provincial. It was also indicated that financial statements will be presented to the Non-Profit Housing Board in the near future.

Some concern was then expressed with respect to the possibility of Provincial funding being stopped or reduced and what impact that would have on the City of Hamilton.

Following further discussion on the Non-Profit Housing Corporation, the Committee agreed to receive this Information Report.

10. IN CAMERA AGENDA

The Committee agreed to move In-Camera to discuss matters of a Private and Confidential nature.

The Committee then moved back into Regular Session and approved the following:

- (a) That a hearing be held on the issue of whether or not the City of Hamilton Adult Video By-law No. 93-045 should be amended to recognize Unit 2 of 558 Upper Gage Avenue, as a location eligible for an Adult Video Tape Store Licence effective 1993 February 23; and,
- (b) That City Council appoint three members of Council to conduct this Hearing for the purpose referred to in Sub-Section (a) above, in accordance with Section 105(1) of the Municipal Act.

- (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 19216/90 by the payment to the Plaintiffs, Milka, Gravo, Vesna and Jasmina Stepanovic of the sum of \$105,141.60 inclusive of all damages, interest and costs; and,
- (b) That the City resolve the Cross-claim of Citadel Insurance Company in Ontario Court (General Division) Action No: 19216/90 by the payment to Citadel Insurance Company of the sum of \$5,782.31 inclusive of all damages, interest and costs; and,
- (c) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
- (d) That Ontario Court (General Division) Action No. 19216/90 and all Cross and Counterclaims be dismissed without costs.

12. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1993 April 22

CITY OF HAMILTON
- RECOMMENDATION -

B
(i)

DATE: 1993 April 27

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. Schatz
City Clerk

SUBJECT: Special Occasion Permits - St. Mary's Portuguese Parish
Summer Festivals.

RECOMMENDATION:

That the Council of the Corporation of the City of Hamilton deem the annual festivals of the St. Mary's Portuguese Parish to be held 1993 May 30 (Holy Spirit); 1993 July 4 (St. Peter); 1993 August 13, 14 and 15 (Our Lady of the Angels) and 1993 August 21 and 22 (St. Cecilia Feast) to be events of municipal significance and has no objection to the issuance of Special Occasion Permits for these festivals.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

These events will be held outdoors in the Church parking lot area. The festivities consist of religious ceremonies, processions, bazaar and band tattoo. They are requesting Special Occasion permits from the Ontario Liquor Control Board for these festivities. Council's approval of the above-noted recommendation will allow the Liquor Board to process their application.

JJS/SKR/dbm

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(ii)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 26

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

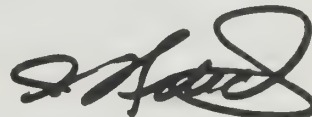
FROM: J. J. Schatz
City Clerk

APR 27 1993

SUBJECT: Women's Art Association of Hamilton Exhibit Request

RECOMMENDATION:

- (a) That approval be given to the request of the Women's Art Association of Hamilton to use the east and west second floor lobby areas for an exhibit of visual art from 1993 October 01 to 15.
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Each year the Women's Art Association of Hamilton holds a juried exhibit of visual art in the second floor gallery at the Art Gallery of Hamilton. However, in the fall of 1993 extensive renovations will make this area unsuitable for the exhibit.

The President of the Women's Art Association of Hamilton has therefore requested, through the Department of Culture and Recreation, space at City Hall for this exhibit.

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Information Desk
File

B
(iii)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 26

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

APR 27 1993

SUBJECT: Second Annual Green Ribbon of Hope Campaign

RECOMMENDATION:

- (a) That approval be given to the request of the Hamilton-Wentworth Chapter of Child Find Ontario to use the forecourt, or in the event of inclement weather, the first floor foyer, to set up information tables with donation jars to increase public awareness to the many services, programmes and types of assistance offered to the community with regard to children on Tuesday, 1993 May 25 from 4:00 - 8:00 p.m. to commemorate National Missing Children's Day.
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Child Find Ontario will be holding their second annual Green Ribbon of Hope Campaign commemorating National Missing Children's Day on 1993 May 25. As members of the Finance and Administration Committee are no doubt aware, the Green Ribbon of Hope was adopted as a symbol for Child Find following the abduction and subsequent murder of Kristen French on 1992 April 16.

Finance & Administration Committee

Re: Second Annual Green Ribbon of Hope Campaign

... 2

Child Find Ontario Inc., the Provincial arm of Child Find Canada, is a registered non-profit charitable organization established in 1983 whose mandate is to educate children and adults about abduction prevention as well as to assist in the search for missing children.

The Hamilton-Wentworth Chapter of Child Find Ontario is requesting use of the forecourt in order to increase public awareness to the many services, programmes and types of assistance offered to the community and to this end will be joined by the following organizations:

- Child Find
- Children's Aid (Hamilton-Wentworth)
- Neighbourhood Watch
- Red Cross
- S.T.A.R.
- Family Services
- Big Sister's
- Salvation Army
- Child International Centre

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Information Desk
File

CITY OF HAMILTON
- RECOMMENDATION -

B
(iv)

DATE: 1993 April 30

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: Ride for Sight - Use of Forecourt

RECOMMENDATION:

- (a) That approval be given to the request of the Ride for Sight Committee to use the City Hall forecourt and related equipment on Saturday, 1993 May 22 at 12:45 p.m. for their annual motorcycle rally to raise funds for eye research in Canada.
- (b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in Account CH 55222-10034 - Use of City Hall Facilities and Equipment by Outside Groups for Property Maintenance staff costs associated with this event in the approximate amount of \$100.00.

BACKGROUND:

The Ride for Sight is an annual motorcycle rally organized and operated by volunteer motorcyclists to raise funds for eye research in Canada. Since its inception in 1979 the Ride has grown to cover all of Canada.

Finance and Administration Committee
Re: Ride for Sight - Use of Forecourt

... 2

1993 marks the 11th Annual National Ride for Sight and it is expected that over 8,000 motorcyclists will participate and raise an estimated \$1 million dollars for eye research.

This will be the second year in which the Ride has included City Hall and will again include a relay whereby the Mayor of Oakville will take a vest by motorcycle to the Mayor of Burlington, who will then ride to Hamilton and pass the vest to Mayor Morrow.

cc: Mayor's Office
Mr. R. Swan, Manager, Property Maintenance Division
Information Desk
File

C (i)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 22

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: City's Share of "Wisemount Estates - Phase 3" -
Financing

RECOMMENDATION:

That the City's share of "Wisemount Estates - Phase 3" Servicing, at a cost of \$16,688.15, be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The net amount to be financed for all 1993 projects related to subdivision expenditures, including this recommendation, is \$184,684.27. The 1993 Capital Budget includes a provision of \$1,200,000 for the City's share of subdivision expenditures in 1993.

BACKGROUND:

The Transport and Environment Committee will be considering this report at their meeting of 1993, May 3. The details of the project cost is outlined in the letter of Mr. E.M. Gill, Senior Director, Roads Department, dated 1993, April 19.

Allan C. Ross

NRA:jc
Attach

c.c. Mr. E. M. Gill, Senior Director
K. Christenson, Secretary, Transport and Environment Committee
D. W. Vyce, Director of Property

C (ii)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 28

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Proposed Construction of a Finished Roadway on
Acadia Drive Approximately 50m South of Butler Drive
to Approximately 200m Southerly

RECOMMENDATION:

That the City Solicitor be authorized to prepare an appropriate By-Law for the construction of a finished roadway on Acadia Drive approximately 50m south of Butler Drive to approximately 200m southerly under the Local Improvement Act at an estimated gross cost of \$111,600 with a City's share of \$22,800 to be financed from the Reserve for Capital Projects (Account Centre No. CH 00203) and the balance of \$88,800, being the Owner's share, to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that an application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$88,800 for a term not to exceed 20 years for the above project.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The 1993 Capital Budget includes a provision for the City's share of Local Improvements in the gross amount of \$600,000 with a Provincial subsidy of \$192,000 and the balance of \$408,000 to be financed from the Reserve for Capital Projects. The City's share of Local Improvements approved in 1993 including this recommendation amounts to \$38,340.

Susan Reeder, Secretary
Finance and Administration Committee
1993 April 28 - Page 2

BACKGROUND:

This item is to be considered by the Transport and Environment Committee on May 3, 1993. The details of this project are outlined in the letter of Mr. D. Lobo, Director of Public Works dated April 23, 1993.

NRA:jc
Attach.

c.c. K. Christenson, Secretary, Transport and Environment Committee
D. Lobo, Director of Public Works, Attention: R. Meiers
P. Noé Johnson, City Solicitor, Attention: L. Farr
G.W. Lawson, Treasurer and Commissioner of Finance, Region, Attention: G. Davis

C (iii)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 28

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Proposed Construction of Concrete Sidewalks on the
West Side of Upper Wellington from Bryna to the North
Limits of the East-West Freeway

RECOMMENDATION:

That the City Solicitor be authorized to prepare an appropriate By-Law to construct concrete sidewalks on the west side of Upper Wellington from Bryna to the north limits of the East-West Freeway under the Local Improvement Act at an estimated gross cost of \$25,300 with a City's share of \$7,144 to be financed from the Reserve for Capital Projects (Account Centre No. CH 00203) and the balance of \$18,156 being the Owner's share, to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$18,156 for a term not to exceed 20 years for the above project.

Allan C. Ross

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The 1993 Capital Budget includes a provision for the City's share of Local Improvements in the gross amount of \$600,000 with a Provincial subsidy of \$192,000 and a balance of \$408,000 to be financed from the Reserve for Capital Projects. The City's Share of Local Improvements approved in 1993 including this recommendation, amounts to \$45,484.

Susan Reeder, Secretary
Finance and Administration Committee
1993 April 28 - Page 2

BACKGROUND:

This item is to be considered by the Transport and Environment Committee on May 3, 1993. The details of this project are outlined in the letter of Mr. D. Lobo, Director of Public Works dated April 27, 1993.

NRA:jc
Attach.

c.c. K. Christenson, Secretary, Transport and Environment Committee
D. Lobo, Director of Public Works, Attention: R. Meiers
P. Noé Johnson, City Solicitor, Attention: L. Farr
G. W. Lawson, Treasurer and Commissioner of Finance, Region, Attention: G. Davis

"Copy sent to J. Thompson, Manager, Legislative Division, City Clerks Department; S. Glover, Legislative Assistant, City Clerks Department and Greg Maychak, Co-Ordinator of Programming, Culture and Recreation Department - 1993 April 28th."

CITY OF HAMILTON

- INFORMATION -

C. (iv)

DATE: 1993 April 26

REPORT TO: Susan Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Status of Hosting, Receptions and Related Accounts

BACKGROUND:

Attached are the following analyses of accounts related to hostings and receptions as at March 31, 1993, with a comparison to the year 1992:

for the year ended 1992

to March 31, 1993

<u>Budget</u>	<u>Actual</u>	<u>Description</u>	<u>Budget</u>	<u>Amount Spent & Committed</u>	<u>Balance Available</u>
\$16,000.00	\$17,354.37	Hosting of Conferences with Municipal Subject Content	\$16,000.00	\$ 0	\$16,000.00
10,000.00	9,483.69	Receptions - City Hall	10,000.00	309.19	9,690.81
40,000.00	32,177.46	Special Civic Receptions and Delegation Hosting	40,000.00	31,285.78	8,714.22
15,000.00	20,968.74	Civic Pins, Medals and Rings	15,000.00	57.43	14,942.57
<u>3,910.00</u>	<u>7,622.00</u>	Use of City Hall	<u>7,620.00</u>	<u>590.00</u>	<u>7,030.00</u>
		- Outside Groups			
<u>\$84,910.00</u>	<u>\$87,606.26</u>		<u>\$88,620.00</u>	<u>\$32,242.40</u>	<u>\$56,377.60</u>

These accounts are forwarded to this Committee on a monthly basis for the information of the members.

Allan C. Ross

KL:jc
Attachment

City of Hamilton
 HOSTING OF CONFERENCES WITH MUNICIPAL SUBJECT CONTENT
 Account CH 55307 80040
 for the period ended March 31, 1993

REFERENCE NUMBER	COUNCIL MEETING	DESCRIPTION /	AMOUNT \$	TOTAL \$
-----	-----	-----	-----	-----

Total Actual Expended and Committed to date				0.00

LESS: Appropriation				16,000.00

SURPLUS (DEFICIT)				16,000.00
				=====

City of Hamilton
 RECEPTIONS - CITY HALL
 Account CH 55313 84010
 for the period ended March 31, 1993

REFERENCE NUMBER	DATE	DESCRIPTION	AMOUNT \$
192659	93/01/28	Mayor's Office	58.16
194226	93/02/05	125 Medal Presentation	53.28
194226	93/02/15	Black History Month Proclamation	25.30
194730	93/02/16	Visit of General from France	27.59
196205	93/03/03	Mayor's Office	7.77
195894	93/03/12	World Day of Prayer	137.09
		Total Actual Expended to Date	309.19
		LESS: Appropriation	10,000.00
		SURPLUS (DEFICIT)	9,690.81

City of Hamilton
SPECIAL CIVIC RECEPTIONS AND DELEGATION HOSTING
Account CH 55314 84010
for the period ended March 31, 1993

COUNCIL MEETING	DESCRIPTION	AMOUNT \$	TOTAL \$
-----	-----	-----	-----
93/01/26	Hosting of Edmund C. Bovey Municipal Clinic and Ontario Regional Meeting - February 27,28, 1993	2,785.78	
	Total Expended		2,785.78
	ADD: Commitments		
92/12/8	Hamilton Air Show - June 19, 1993	8,500.00	
92/04/28	Canadian Country Music Association Awards	20,000.00	
	Total Committed		28,500.00
	Total Actual Expended and Committed to date		31,285.78
	LESS: Appropriation		40,000.00
	SURPLUS (DEFICIT)		8,714.22
			=====

City of Hamilton
CIVIC PINS, MEDALS AND RINGS
Account CH 56126 84010
for the period ended March 31, 1993

REFERENCE NUMBER	DESCRIPTION	AMOUNT \$
192213	2-GF Civic Champs pinette & 2 Boxes	57.43
	Total Actual Expended to Date	57.43
	Less: Appropriation	15,000.00
	SURPLUS (DEFICIT)	14,942.57

City of Hamilton
 USE OF CITY HALL-OUTSIDE GROUPS
 Account CH 55222 10034
 for the period ended March 31, 1993

REFERENCE NUMBER	DATE	DESCRIPTION	AMOUNT \$
-----	-----	-----	-----
JV02006	93/02/07	Caribbean Potpourri and Mundialization	240.29
JV02006	93/02/07	Caribbean Potpourri and Mundialization	229.57
JV03014	93/03/07	Womens Centre of Hamilton	120.14

		Total Actual Expended to Date	590.00
		LESS: Appropriation	7,620.00

		SURPLUS (DEFICIT)	7,030.00
			=====

C. (v)

CITY OF HAMILTON
- INFORMATION -

DATE: 1993 April 26

REPORT TO: Susan Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Status of Unclassified Revenue and Expenditures as at
March 31, 1993

BACKGROUND:

Attached are the analyses of the Unclassified Revenue account and the Unclassified Expenditures account for the period ending March 31, 1993.

<u>for the year ended 1992</u>		<u>Description</u>	<u>Budget</u>	<u>Actual to date</u>	<u>Balance Available (to come)</u>
<u>Budget</u>	<u>Actual</u>				
\$(50,000.00)	\$ (67,967.52)	Unclassified Revenue	\$(50,000.00)	\$(2,419.03)	\$(47,580.97)
65,000.00	75,583.18	Unclassified Expenditures	70,100.00	10,485.39	59,614.70

It should be noted that the Unclassified Expenditures 1993 budget was increased by \$5,100.00 over 1992, to \$70,100.00, due to a transfer from operating accounts for various agencies' meetings.

These accounts are forwarded to this Committee on a monthly basis for the information of the members.

Allan C. Ross

KL:jc
Attachment

CITY OF HAMILTON
TREASURY

UNCLASSIFIED REVENUE
AS AT MARCH 31, 1993

CENTRE NUMBER:CH 24201
Appropriation: \$ 50,000.00

COMMISSIONS:

Bell Telephone	721.04
----------------	--------

SALES:

Photocopier Revenue	0.00
---------------------	------

MISCELLANEOUS:

Cheques Written Off/Reinstated	0.00
Witness Fees	78.00
Sales Tax	0.00
Other Revenues	1,619.99
Absences Various Locals	0.00
Newspaper Vending Machine	0.00
Inventory Variance	0.00

Total Revenue To Date	2,419.03
-----------------------	----------

Less: Appropriation	50,000.00
---------------------	-----------

Balance Available (To Come)	(47,580.97)
-----------------------------	-------------

CITY OF HAMILTON
TREASURY

UNCLASSIFIED EXPENDITURES
AS AT MARCH 31, 1993

Centre Number: CH 24210
Appropriation: \$ 70,100.00

LUNCHEONS, DINNERS, SANDWICHES, COFFEES, ETC.

City Council	1,155.29
Finance and Administration Committee	849.24
Parks and Recreation Committee	557.98
Planning and Development Committee	360.76
Transport and Environment Committee	315.14
Keep Hamilton Clean Citizen's Committee	67.83
Crystal Palace Subcommittee	169.28
Hamilton Historical Board	222.51
Citizen Advisory	119.33
Urban Design Subcommittee	47.96
Committee of Adjustment	139.91
CAIP Subcommittee	39.96
L.A.C.A.C.	211.68
License Subcommittee	227.05
Farmers Market Subcommittee	313.71
English Subcommittee	28.63
French Subcommittee	192.87
Taxi Advisory Committee	98.52
Insurance Advisory Subcommittee	29.20
Property Standards Subcommittee	12.10
Current Budget Subcommittee	21.32
Mundialization Committee	306.04
Football Hall of Fame	523.89
Canusa Games Committee	146.41
Hamilton Arts Award	1,004.60

Total Committee Expenditures	7,161.21

Continued Page 2.....

CITY OF HAMILTON
TREASURYUNCLASSIFIED EXPENDITURES
AS AT MARCH 31, 1993

Centre Number: CH 24210
Appropriation: \$ 70,100.00

MISCELLANEOUS

Collection Agency Fees	178.70
Flowers & Wreaths	87.41
Parking and Cab expenses	55.00
Hydro Charges - Road Sign	34.48
Isc Paper Recycling Canada	2,956.10
Miscellaneous	12.40

Total Miscellaneous Expenditures	3,324.09

Total Expenditures	10,485.30
Less: Appropriation	70,100.00

Balance Available	59,614.70
	=====

CITY OF HAMILTON

- INFORMATION -

D
(i)

DATE: March 25, 1993

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Mr. John Johnston
Commissioner of Human Resources

SUBJECT: Impacts of Work and Family Responsibilities on the Health of Female
Municipal Workers in the Hamilton Region: A Pilot Study (C-020-093)

BACKGROUND:

In February 1993, Allison McKinnon, Assistant Professor, Faculty of Health Sciences, McMaster University contacted C. Hay, Corporate Health Services regarding her interest in and potential funding for conducting a pilot study of the impacts of work and family responsibilities on the health of female employees.

Since both Corporate Health Services and the City/Regional Child Care Task Force felt that the findings of such a study could provide direction for future health promotion initiatives, Ms McKinnon was supported in completing a proposal for funding of a small pilot study. Full funding of the pilot study was subsequently awarded through the McMaster University Women's Health Office.

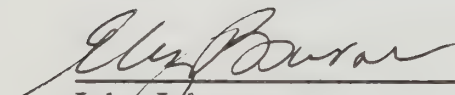
The objectives of the pilot study are as follows:

1. To identify impacts of the combined demands of work and family responsibilities on the health and absenteeism of unionized women employed in administrative support positions with the Regional Municipality of Hamilton-Wentworth and the Corporation of the City of Hamilton (i.e. female employees of CUPE Local 167 (Administration)).
2. To develop a profile of the opinions and experiences of these women related to the impacts of work and family responsibilities on their health and absenteeism from paid work.

3. To identify these women's preferences and specific recommendations for changes in working conditions to assist them in effectively balancing work and family responsibilities and in promoting their overall health and well-being on the job.

The study will consist of a survey questionnaire and follow-up focus groups. An implementation plan is currently being developed with Ms McKinnon, to be introduced to the identified employee group via the City/Regional Child Care Task Force. Ms McKinnon also intends to work closely with CUPE 167 (Administration) union representatives to ensure that their concerns are addressed and compliance of the employee group is obtained.

Upon conclusion of the pilot study, a verbal presentation and a final written report will be forthcoming to Corporate Health Services, the City/Regional Child Care Task Force, and CUPE Local 167 (Administration). It is anticipated that the findings of the pilot study could prove useful in making future policy and program decisions regarding the health and well-being of all employees, and provide direction for future contract negotiations concerning health and family benefits.



John Johnston

CITY OF HAMILTON
- INFORMATION -

D
(ii)

DATE: 1993 April 30

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

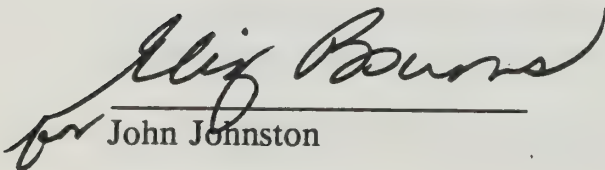
FROM: Mr. John Johnston
Commissioner of Human Resources

SUBJECT: JOBS ONTARIO YOUTH (C-021-093)

BACKGROUND:

The province of Ontario has announced that they are making available fourteen (14) million dollars to create 6,000 summer jobs for students. All of these jobs are to be created in the Toronto, Hamilton, Windsor, and Ottawa areas. The province will assume 100% of the costs of the student employment. Jobs Ontario Youth will assist in creating these jobs in the private, government and non-profit sectors to assist youth aged 15 to 24 (25-29 years of age if disabled). Both students and youths who are out of school are eligible. There will be particular focus on black youth. Participants will be matched with jobs by community agencies or through local youth employment centres. In the Hamilton community this task will be undertaken by two agencies, Caribbean Pot Pourri & Barbados House Youth Employment Centre, and the Y.M.C.A. Youth Employment Centre.

The City of Hamilton will be initially creating approximately 100 additional jobs and will be working with both agencies on an ongoing basis to ensure the maximum use of provincial funding to assist youth in the Hamilton community.


John Johnston

CaO

CaO



CITY OF HAMILTON
- RECOMMENDATION -

E.

DATE: 1993 April 29

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

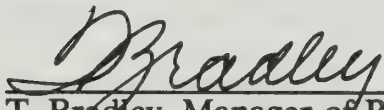
FROM: T. Bradley
Manager of Purchasing

SUBJECT: Purchase of Fatigue Uniforms, Hamilton Fire
Department

RECOMMENDATION:

That a purchase order be issued to J. P. Hammill & Son Limited, Guelph, to supply and deliver Fatigue Uniforms as and when required during 1993 by the Hamilton Fire Department, being the lowest of three tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be finance through Uniforms, Clothing Account No. CH56104 48001, as follows:

Short Sleeve Shirts	\$21.67 each
Trousers	30.97 each
Uniform Jackets	23.97 each
All taxes extra	



T. Bradley, Manager of Purchasing

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funding provided in this account to cover estimated expenditure of \$80,000.

BACKGROUND: Tender Analysis based on estimated usage, all taxes extra

J.P.Hammill, Guelph	\$66,409
Starfield Safetywear, Toronto	80,815
Anchor Textiles, Toronto	80,705

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CITY OF HAMILTON
- INFORMATION -

E (i)

DATE: 1993 May 3

REPORT TO: Mrs. Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: G. Baker
Fire Chief
Hamilton Fire Department

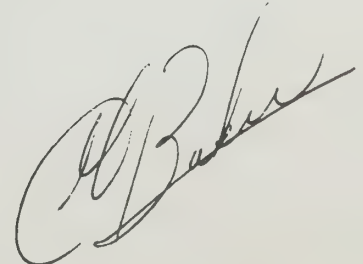
SUBJECT: Fatigue Uniforms

BACKGROUND:

In 1988 the Hamilton Professional Firefighters were issued new state of the art bunker suits constructed of Gortex and Kevlar. The concept was based on a compatible effect, where two separate garments - the bunker suit and a flame resistant uniform pant (fatigue clothing) are utilized together to provide optimum performance, which neither can supply alone.

Prior to the issuing of the bunker suits, a comprehensive study took place administered by Project FIRES administered through the offices of the International Association of Firefighters Department of Occupational Health and Safety. Project FIRES recommended that the fatigues (shirts & trousers worn under the suits) be made of 70% cotton and 30% polyester, a material which is resistant to burning.

The Collective Agreement between the Corporation of the City of Hamilton and the Hamilton Professional Fire Fighters Association requires that firefighters be supplied with fatigue clothing annually.



1123

1123



CITY OF HAMILTON
- RECOMMENDATION -

F.

DATE: 1993 April 30

REPORT TO: Alderman D. Ross, Chairperson
and Members,
Finance and Administration Committee

FROM: Susan K. Reeder, Secretary
Finance and Administration Committee

SUBJECT: Information Items

RECOMMENDATION:

That the following Information Items, which have been previously forwarded to members of the Committee under separate cover, be received for information purposes:

- (a) Information Report - Secretary, English Language Sub-Committee - English Language Sub-Committee Meeting dates - dated 1993 April 22nd.
- (b) 1992 Hamilton Fire Department Annual Report.

Susan K. Reeder

SKR/dbm

The Corporation of the
City of Burlington

City Hall
426 Brant Street, Burlington,
Mailing Address
P.O. Box 5013, Burlington O

Telephone (416) 335-
(416) 335-
Fax No.:

6(a.)

April 14, 1993

Mr. Joseph Schatz, Clerk
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Mr. Schatz:

SUBJECT: Adult Video By-law
File: 710-01

OFFICE OF THE CITY CLERK	
APR 19 1993	
REC. BY	SA
REF'D TO	
REF'D TO	S.H.R.
REF'D TO	
ACTION	C.C. S.J. DEMBE
	P. ADE JOHNSTON

The Council of the Corporation of the City of Burlington at its regular meeting held on Tuesday, April 13, 1993 enacted the following Motion No. 65:

"THAT in accordance with the procedural by-law "notice to introduce a motion" be and is hereby waived;

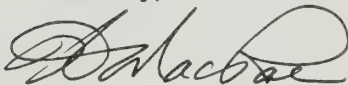
and that the Minister of Municipal Affairs and Minister of Consumer and Commercial Relations be urged to support and initiate an appropriate amendment to the Municipal Act to provide municipalities with the legislative authority to prohibit the distribution (sale and/or rental) of adult sex films within their municipalities on the basis of community standards;

and further that this motion be forwarded to the Association of Municipalities of Ontario, the Federation of Canadian Municipalities and to Ontario Municipalities with a population in excess of 75,000 and members of the Federal and Provincial parliaments requesting support;

and that the Honourable Pierre Blais, Federal Justice Minister and Keith Spicer, Chairman of the Canadian Radio and Television Commission having direct involvement in the jurisdiction of adult sex films be urged to initiate more stringent Federal Legislation to regulate the industry."

The City of Burlington is seeking your support in this matter and is requesting that appropriate Council Resolutions be enacted and forwarded to the Minister of Municipal Affairs and Minister of Consumer and Commercial Relations.

Yours truly,



Helen MacRae
EXECUTIVE DIRECTOR, INFORMATION
SERVICES, AND CITY CLERK

MP/jm
6626-CL2



The City of Stoney Creek

OFFICE OF THE CITY CLERK

APR 21 1993

REC. BY _____ DATE _____
REF'D. TO SKR DATE _____

6. (b.)

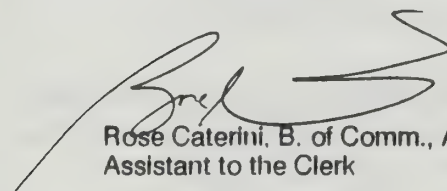
April 20, 1993

Office of the Secretary General
Canadian Radio-Television and
Telecommunications Commission
Ottawa ON K1A 0N2

Re: Proposed Cable TV Rate Increases by Rogers Cable TV

Council at its meeting held April 13, 1993 adopted the attached Resolution No. 7-8, requesting the Canadian Radio-Television and Telecommunications Commission investigate the feasibility of changing the licensing procedure so as to allow competition in the cable TV field.

Please consider the city's resolution in your review of cable rate increase requests.


Rose Caterini, B. of Comm., A.M.C.T. (A)
Assistant to the Clerk

cs

Attachment

Copy to:

City Clerk, City of Hamilton
Town Clerk, Town of Grimsby
Rogers Cable TV Limited

THE CORPORATION OF THE CITY OF STONEY CREEK

RESOLUTION NO. 7 - 8

SESSION April 13, 1993

MOVED BY Councillor John Copland

SECONDED BY Councillor Larry Dilanni

WHEREAS full cable service charges for the City of Stoney Creek has been increased annually since December, 1986, and

WHEREAS this increase has resulted in annual cable rates increasing from \$72.00 (December, 1986) to \$207.24 plus taxes (December, 1992) to \$251.04 commencing April 29, 1993, and

WHEREAS the Council of the Corporation of the City of Stoney Creek considers these increases excessive, and

WHEREAS a licensed cable area results in a monopoly;

NOW THEREFORE be it resolved that the Council of the Corporation of the City of Stoney Creek hereby request the C.R.T.C. to investigate the feasibility of changing the licensing procedure so as to allow competition in the cable T.V. field.

Copies of this resolution be forwarded to Rogers Cable and neighbouring municipalities.

Robert Hodgson

MAYOR

**THE CORPORATION OF THE TOWN OF GERALDTON**TOWN OFFICE - 301 EAST STREET - P.O. BOX 70
GERALDTON, ONTARIO P0T 1M0**OFFICE OF THE MAYOR**OFFICE OF THE CITY CLERK
Tel: (807) 854-1100
Fax: (807) 854-1947

APR 21 1993

REC. BY _____ DATE _____

TO:ALL Municipal Councils in the
Province of Ontario**FROM:**Mayor Michael Power,
Town of Geraldton**DATE:**

21 April 1993

SUBJECT:Association of Municipalities of Ontario


The attached Resolution No. 93-098 from the Corporation of the Town of Geraldton is self-explanatory. The Council and I feel strongly that it is very important to make our views known to both the Government of Ontario and the Association of Municipalities of Ontario.

The intent of the Geraldton resolution is to support the Association of Municipalities of Ontario's position that they did not have the authority to negotiate on behalf of all the municipal governments in Ontario.

If A.M.O. wishes to sit in on these meetings on our behalf to obtain information to share with all Ontario municipalities to assist us in our decision making that is acceptable because that is the role of the Association. It is not; however, their role to make decisions or commitments on matters which affect us without all member municipalities and non-member municipalities being provided with an opportunity to provide their input.

We sincerely hope that all municipal Councils will support this position and make their views known. It is equally as important to make your views known if you disagree with the position we have taken.

On behalf of the members of our Council, I thank you for taking the time to address this matter.


MP:plc
Encl.c.c. The Honourable Bob Rae,
Premier of Ontarioc.c. Doug Raven, Executive Director,
Association of Municipalities of Ontario

6. (c)

TOWN OF GERALDTON

Motion No. 93- 098April 13, 1993Moved by Seconded by **THAT:**

WHEREAS the Corporation of the Town of Geraldton did not give the Association of Municipalities of Ontario (A.M.O.) the mandate to negotiate on behalf of the Town with the Government of Ontario on financial matters that may impact on the Town of Geraldton;

AND WHEREAS A.M.O. has not requested the approval of the Town of Geraldton to negotiate a "Social Contract" with the Premier and Government of Ontario;

THEREFORE BE IT RESOLVED That Premier Rae and A.M.O. be informed that the Town of Geraldton does not agree with A.M.O. negotiating a "Social Contract" on its behalf;

AND FURTHER That municipalities in the Province of Ontario be contacted to request their support of the Town of Geraldton's position and that they so inform Premier Rae and A.M.O.

Carried ☒Defeated ☐
Signature of Mayor or Chairman

7.
7.(a.)

CITY OF HAMILTON
- INFORMATION -

DATE: 1993 April 29

REPORT TO: S. Reeder
Secretary, Finance & Administration Committee

MAY 3 1993

FROM: Mr. D. Lobo
Director of Public Works

SUBJECT: Ice Storm Damage - April 1993

At its meeting of April 13, 1993 Council approved recommendations related to the clean up associated with the ice storm of April 1, 1993. One recommendation concerning the financing of said clean up is as follows:

That the projected budgetary impacts of the clean-up work be forwarded to the Finance and Administration Committee for information at this time and that upon completion of the clean-up a more detailed report be submitted to the Transport and Environment Committee for its consideration.

BACKGROUND:

As a result of the unanticipated ice storm of April 1, 1993, the Public Works Department, Parks Division, Forestry section was required to mobilize crews of qualified personnel (certified by the Electrical Utilities Safety Association - E.U.S.A.) to address hazardous and potentially unsafe conditions primarily on the east and west mountain.

On the day of the storm, the Forestry section had seven men who had not been laid off, of these seven men, two were on vacation. Men who had been transferred to other sections were sent back to Forestry, five people in total. Four were working for the Streets and Sanitation Division and one was working for Sports Facilities. Individuals with E.U.S.A. training who had worked for the Forestry section in the past were recalled, 27 in all.

Labour: *

Up until April 6, 1993, the Forestry section had charged \$47,811.00 into our City storm damage account centre no. 60428. It was estimated that from this date forward 39 employees working 8 hrs/day would incur a labour cost of **\$393,120.00.**

Equipment: *

Equipment costs from April 6, 1993 would be approximately	<u>\$237,600.00</u>
Total:	<u>\$630,720.00</u>
Funds charged until April 6, 1993:	<u>\$ 47,811.00</u>
Total clean up costs:	<u>\$678,531.00</u>

* Effective May 10, 1993, staff will be re-assigned from Forestry back to their respective divisions.

Parks Division, Forestry section, has received a total of 1,100 complaints to date, and the list is being updated daily. Because of the large amount of calls, the projected clean up may last longer than first expected.

A contributing factor to the duration and cost of the clean up program is the volume of debris originating from private yards being carried out to the curbside or being thrown on the road by property owners for pick up by City staff.

J. Pook
RG/rb

cc J. Pavelka, Chief Administrative Officer
cc B. Chrystian, Manager of Parks
cc J. Pook, Horticulturist

CITY OF HAMILTON
- INFORMATION -

7.
7. (b.)

DATE: 1993 April 29

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: Allan C. Ross
Treasurer

SUBJECT: Financing of the Shortfall in the Winter Maintenance Costs

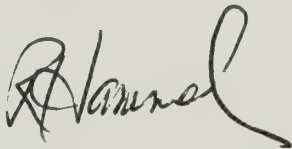
BACKGROUND:

The snow control accounts will to be in overdraft during 1993, as outlined in the enclosed letter of Mr. D. Lobo, Director of Public Works dated April 28, 1993 and in the following table:

Winter Maintenance

1993 approved budget	\$2,711,600
Expenditure to date	<u>5,204,494</u>
Shortfall	2,492,894
Estimated additional expenditure - October to December	<u>894,253</u>
Total shortfall for 1993	<u>\$3,387,147</u>

In view of the significant shortfall noted above, the previously reported deficit in Ice Storm Damage accounts and a further potential shortfall due to reductions in Provincial Transfer Payments, the unknown outcome of social contract discussions and the Provincial budget, and other events, it is proposed that the Chief Administrative Officer and City Treasurer bring a recommendation letter to the Committee of the Whole meeting once more information is available.



NRA:jc
Encl.

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 29

REPORT TO: Mr. K. Christenson
Secretary, Transport and Environment Committee

FROM: Mr. D. Lobo
Acting Director of Public Works

SUBJECT: Snow Control Accounts
Anticipated Overdraft for 1992/93 Winter Season

RECOMMENDATION:

That the Finance & Administration Committee recommend a method of financing the estimated overdraft of \$3,387,147 for the 1992/93 winter season - snow control accounts.



D. LOBO
DIRECTOR OF PUBLIC WORKS

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Based on the present deficit of \$2,492,894, and an additional expenditure of \$894,253 anticipated, the 1993 Winter Budget will go into overdraft by (est.) \$3,387,147.

BACKGROUND:

The 1993 approved budget for Winter Maintenance is \$2,711,600. Expenditures to date are \$5,204,494 creating a deficit of \$2,492,894. Expenditures for Winter Maintenance operations during the months of October to December for the past five years have been as outlined in the following table:

<u>Oct. to Dec.</u>	<u>Expenditure</u>
1988	\$ 441,846
1989	1,172,627
1990	602,243
1991	850,805
1992	<u>1,403,748</u>
5-year average	\$ 894,253

The weather conditions that led to this overdraft include number of snow storms, volume of snow with each storm and the total accumulation of snow.

This past winter, there were four "major" storms with accumulations exceeding 15 cm of snow and four "minor" storms exceeding 10 cm. The total snowfall from October, 1992 to April, 1993 was 215 cm, compared to a normal winter snowfall of 129.54 cm. So the snow accumulation over this past winter is almost double a normal winter's snow accumulation.

Compounding the snow accumulation this past winter has been the lack of usual freeze/thaw cycle which normally helps reduce snow existing snow accumulations.

These exceptional circumstances required staff to blow snow in the neighbourhoods on five occasions instead of two, and graders were required to plow residential on nine occasions instead of 4 occasions.

This particular winter has been the most severe that the City has experienced since 1983, with respect to snow accumulations.

DL/jdh

c.c. Mr. A. Ross, Treasurer

8.

CITY OF HAMILTON
- INFORMATION -

DATE: April 30, 1993

REPORT TO: Susan Reeder, Secretary
Finance and Administration Committee

FROM: D. Kevin Beattie
Grants Co-ordinator

SUBJECT: Capital Grant requests - McMaster University and
Venetian Club

BACKGROUND:

The Grants Process Group has been advised of two Capital Grant Requests. The first request is from McMaster University in the amount of \$19,000 to purchase equipment with regard to the 1993 World University Games Women's Soccer Championship. The second request is from the Venetian Club in the amount of \$20,000, which is to finalize the organizations' renovations of the Club for the 1995 World Bocce Tournaments. Each request is expanded on below.

McMaster University

McMaster University will host the Women's Soccer Championships in July, 1993 as part of the World University Games in Buffalo, New York. The Capital Grant request of \$19,000 for equipment (see attached documentation) is in addition to the \$25,000 Capital funds which were approved by City Council October 27, 1992. The \$25,000 is to be used for upgrading campus sports fields and was conditional on:

- i) McMaster University allowing community access to the campus sports fields.
- ii) That this funding be conditional on the Province of Ontario and McMaster University providing the balance of \$75,000. required to upgrade the campus sports fields.

According to the Organizing Committee (see attached letter) the above two conditions have been met.

Venetian Club

In 1992 the Venetian Club submitted a Capital Grant request in the amount of \$50,000 for renovations to the Club for the 1995 World Bocce Tournaments. City Council at its meeting March 19, 1992 approved a Capital Grant of \$20,000 (see attached correspondence).

Mr. Larry Bernacci is now requesting an additional \$20,0900 Capital Grant to complete the renovations. He believed that this request would have been automatically considered during the 1993 Grants process (see his letter dated April 13, 1993).

Susan Reeder, Secretary
Finance and Administration Committee
April 30, 1993 - Page 2

Conclusion

The Grants Process Group is forwarding these two requests to the Committee for consideration. Presently there is a balance of \$67,500 within the Capital Grants Provision Account #CF 5693 259155007.

DKB:jc
Attachs.



Presented
BY
New York Telephone
With the
NYNEX Family of Companies



Women's Soccer
Hamilton, '93

Attn: Kevin Beattie

Fax 546-2449

As an additional note to the documentation relating to the World University Games, Women's Soccer which will be hosted in Hamilton from July 7-18, 1993; due to our affiliation with the Buffalo Organizing Committee, we have been able to negotiate a very attractive deal with the equipment suppliers.

The equipment we will receive is the best there is and it is internationally approved. Our cost will be less than one-third of the normal cost. This opportunity is very attractive for the City, given that the equipment will remain in the City for future use. Please relay this to the Finance and Administration Committee.

Yours truly,

D. Bowman

CULTURE & RECREATION DEPARTMENT

MEMORANDUM

TO: Mr. Allan Ross
City Treasurer

YOUR FILE:

FROM: Mr. Bob Sugden
Director of Culture and Recreation
Culture and Recreation Department

OUR FILE:
PHONE: 546-4614

SUBJECT: World University Games Women's Soccer
Championships

DATE: 1993 January 28

I have attached a letter from the Chair of the Organizing Committee for the World University Games - Women's Soccer, requesting financial support to purchase equipment for the upcoming Games.

I discussed this matter with Joe Pavelka and it was recommended that the purchase of sports equipment be funded by the Grants Account.

Should you require additional information please contact me.

BS:mp
Attach.



c.c. Kevin Beattie, Budget Officer, Treasury Department ✓



FILE NO. *Sp. Quigley*
DEPT. OF CULTURE & RECREATION
REC'D JAN 27, 1993
Women's Soccer
Hamilton, '93
D. C. R.
D. S.
D. H. S.
A. S.
V. M. S.
V. P.
BS

Bob Sugden
Department of Culture & Recreation
City Hall
71 Main St. W.
Hamilton, Ont.

Dear Bob,

This letter of request is a follow up from our telephone conversation last week with regard to the upcoming World University Games Women's Soccer Championship.

The organizing committee requests the financial support for all sport related equipment all of which will remain in the Hamilton area for future hosting of major soccer events as well as for the general soccer community use. In addition to the hosting of the Games, the organizing committee in conjunction with the Ontario Soccer Association will be hosting player clinics throughout the Championships.

Please find attached a list of equipment required for the hosting of the upcoming Games.

The extended value of this equipment is \$19,000.00.

Sincerely,

Therese A. Quigley

Therese A. Quigley
Chair of Organizing Committee
World University Games - Women's Soccer

cc. D. Carson

WOMEN'S SOCCER
WORLD UNIVERSITY GAMES
JULY 1993

EQUIPMENT LIST

<u>ITEM</u>	<u>NUMBER REQUIRED</u>
soccer balls	300
ball bags	20
cones	300
corner flags (sets)	5
half flags (sets)	5
goal posts (permanent) (set of 2)	4
goal posts (portable) (set)	2
goal nets (net stakes & fasteners)	5
linesman flags	24
scrimmage vests (numbered)	160
towels	500
water bottles/squeeze	500
ball pumps	4
clip boards	30
first aid boxes	4
ice facility	4
substitution #'s (sets)	4
pagers/beepers	16
cellular phones	4
computers	2
printers	2
fax	2
copier	1



McMASTER UNIVERSITY
1280 MAIN STREET WEST
HAMILTON, ONTARIO L8S 4K1
PHONE (416) 525-9140 EXT. 3400
FAX (416) 521-5657

April 7, 1993

Mr. Bob Sugden
Director, Culture & Recreation
City Hall
71 Main Street W
Hamilton, ON L8P 1H4

Signature
DEPARTMENT OF ATHLETICS (Ext. 4463)
AND RECREATION (Ext. 4464)
DEPT. OF CULTURE & RECREATION

APR 13 1993
D.C.R.
D.S.
D.H.S.
<i>BS</i>

Dear Bob

This is a letter to verify that the conditions of Council as per October 27, 1992 submission by Chairperson, Parks and Recreation Committee - Alderman T. Jackson have in fact been met.

- (a) "That the City of Hamilton provide a capital grant of \$25,000 to McMaster University for upgrading campus sports fields to accommodate the World University Games Women's Soccer."
- (b) "That this funding be conditional on McMaster University allowing community access to the campus sport fields." This has been agreed to as per the letter of agreement signed by both yourself and Dr. Mary E. Keyes.
- (c) "That this funding be conditional on the Province of Ontario and McMaster University providing the balance of \$75,000 required to upgrade the campus sport fields."

A cheque from the Ministry of Tourism and Recreation has been received as has the commitment of \$25,000 by McMaster University.

With all conditions having been met, I respectfully request that a cheque for \$25,000 be made payable to McMaster University, be processed by the City Finance Department.

Sincerely

Thérèse A. Quigley
Director
Athletics and Recreation

cc: Mr. Kevin Beatty, Budget Officer, City Hall
Dr. Mary E. Keyes, McMaster University



CITY COUNCIL
HAMILTON, CANADA

Alderman Don Ross
Chairman - Economic Development & Planning
Chairman - Finance & Administration

71 MAIN STREET WEST L8N 3T4 • (416) 546-2730 • RES: (416) 387-1842 - Ward 8

April 19, 1993.

APR 22 1993

Mr. Larry Bernacci,
President,
Venetian Club of Hamilton,
269 John Street North,
Hamilton, Ontario.
L8L 4P6.

Dear Mr. Bernacci:

Thank you for your letter dated April 13, 1993.

I have asked that the issue relating to the Application for a \$20,000.00 Grant in 1992 and a \$20,000.00 Special Grant in 1993 -- in order to make renovations to the Venetian Club for the 1995 World Bocce Tournaments -- be put on the Agenda of the Finance and Administration Committee Meeting.

I will keep you informed as to what transpires.

Yours truly,

Don Ross,
Chairman,
Finance and Administration Committee.

DR:dd

c.c. Mrs. Susan Reeder, Secretary, Finance and Administration Committee.



VENETIAN CLUB OF HAMILTON

269 John St. North
Hamilton, Ontario L8L 4P6 (416) 529-4746



April 13, 1993

Aldermen's Offices
71 Main Street West
Hamilton, Ontario
L8N3T4

Attention Don Ross:
Chairman Finance and Administration Committee

Dear Don:

On behalf of the Venetian Club I applied for a one time Grant in December of 1991. The request was made to enable us to make much needed renovations for the appearance of the club for the 1995 World Bocce Tournaments.

In March of 1992 we received word that our application was accepted and we were to receive \$20,000.00 in 1992. An additional \$20,000.00 was to be made available from a special City Fund in 1993.

It was my understanding that I did not have to reapply again for the Grant that it was to be an automatic transaction.

Enclosed you will find copies of the original application.

As always your help and consideration was and is greatly appreciated.

Kindest regards,

The Venetian Club

Larry Bernacchi

Larry Bernacchi
President

May 12, 1992

Venetian Club of Hamilton
269 John Street North
Hamilton, Ontario
L8L 4P6

Attention: Larry Bernacci

Further to your 1992 General Grant request, the Committee of the Whole and subsequent City Council meeting of March 19, 1992 finalized the approval of your Capital grant in the amount of \$20,000.00.

Please find enclosed a City of Hamilton cheque in the amount of \$20,000.00 which represents the full amount of your grant and consistent with the grant payout procedure.

I look forward to receiving your report on the allocation of the 1992 grant funds including financial statements as soon as practical and as directed in the Grant Policy. (Note: Any organization which has an approved 1992 City grant of \$5,000 or more must supply an audited financial statement (prepared by a chartered accountant) of their 1992 operations as outlined in the grant policy.) If clarification of this issue is required please contact me.

For your information, there is a new fund raising activity for qualified organizations. This is a lottery scheme known as Nevada or Break Open Tickets, that is now available through City Clerk's department. This program may assist your financial needs and for further information please contact Mr. Dean Barrow, Senior Licence Inspector within the City Clerk's department at 546-4669.

One final note, grant applications for 1993 should be available in October, 1992. If you would like to apply for a 1993 grant please contact me around that time.

If I can provide any further service, I can be reached at 546-2739.

Yours very truly,

D.K. Beattie
Grants Co-Ordinator

DKB:jc
Enclosure

BACKGROUND INFORMATION ON VENETIAN CLUB APPLICATION

TO THE CITY OF HAMILTON

FOR A ONE TIME GRANT OF \$50,000.00

1. In December 1991 The Venetian Club submitted a formal application to the City of Hamilton for a \$50,000.00 one time grant for desperately needed repair and renovation of its building at 269 John Street North.
2. This is the first and only time that the Club has requested funding support from the City of Hamilton or any other external source since its founding in 1947 as a nonprofit social and recreation club.
3. For 45 years the Club has financed its many social and recreational services to the community as well as numerous building expansion and renovation programs from membership fees, loans from members and rental of facilities for weddings, banquets, bocce tournaments and other special events.
4. However the members of the Venetian Club are unable to fully cover the cost of the following urgently needed repairs and renovations:
 - (a) roof replacement - \$9,576.00

The roof must be replaced immediately to prevent leakage damage and deterioration which would require

participants from 27 countries in the 1995 world Bocce Tournament which is expected to contribute 1.6 million dollars to the local economy. Although the tournament itself will take place at Copps Coliseum, as host club we look forward to welcoming our international visitors to the Venetian Club facilities on John Street.

(c) Installation of 3 bocce courts

(in rear parking area) - \$5,475.00

(d) Repair of Bocce Courts

(in basement) - \$3,500.00

The development of the finest bocce facilities in Hamilton will enable the Venetian Club to more fully meet the social and recreation needs of its members and many others who enjoy this traditional Italian variation of lawn bowling. This investment will therefore contribute to the long term rental revenues and financial viability of this nonprofit social and recreation club.

(e) Installation of Wheel Chair Ramp - \$19,500.00

Members of the Venetian Club share the commitment to make community facilities accessible to people in wheel chairs and others with mobility limitations.

negative impact on the ability of this not for profit social and recreation club to increase its rental income and thereby strengthen its financial self sufficiency. It is no exaggeration to fear that the very survival of this 45 year old Hamilton institution could be jeopardized. In addition, if the grant is not available to permit timely and efficient upgrading of the facility the Venetian Club would be unable to fully contribute to the success of the 1995 World Bocce Tournament.

7. As stated earlier the Venetian Club has never before sought financial support from the City of Hamilton or any other external source. It can be stated with equal certainty that there will be no need to seek future support because this requested one-time grant will enable the Club to further strengthen the financial self-sufficiency which has sustained it for 45 years. The improved facilities, including the additional bocce fields, will help to increase revenue from annual membership fees. The attractive new facade as well as the wheel chair accessibility ramp will bring additional rental revenue to offsett the cost of social and recreation programmes that this nonprofit, volunteer organization has been providing to the community since 1947.

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April 22/93
Dr. C. Patlak
C/o ADULT WORLD
212 John St. S.
522-6463

Mrs. S. Reeder

Secretary of Finance and Administration Com.
City of Hamilton.

9.

Dear Mrs. Reader,

Thanks for giving me the opportunity to present my view on the new by-law regarding Adult Video Stores.

To Contextualize my present observations, I would refer to you and other members of Committee for a kind re-perusal of the issue of regulating Adult Stores & other stores with similar material normal video stores, and Corner milk places or Variety Stores.

The said ~~letter~~ letters were written to Mr. S. Dembe in response to threats of prosecution dated March 15/93 & April 14/93, the copies of which are appended herewith.

Probably the oldest video store, a family store called Video Village happens to be owned by me, when recession of mid-seventies forced me to get into gainful, honest & legal self-employment other than teaching. Since I had taught before, practised law before, wrote a published work which has been reviewed, having thus contributed positively of myself, rather ^{than} chasing jobs I settled in Hamilton for good some 32 years ^{ago} ~~since~~ and diverted my attention to raise my family by remaining & rooting at one place.

As a thinking person, while doing a video bus., since 12 yrs, I noted that in my store people of all walks of life, Teachers, lawyers, Drs. and Commissioners came looking for Walt Disney as well as Adult materials. I was

of the view that if it were financially feasible it would be safer, a more prudent method to exclude the adult materials to put in an exclusive atmosphere meant only for adults. He was born Adult world out of existing video village.

So far me Adult world, a video store devoted strictly to adults was a matter of logical extension. And doing a vital community service in a safer, discretely & safer way of it. I knew that the special interest group would jump unthinkingly to pseudo-moralise a normal business serving a normal human need, and politicise it to such an extent that the leaders of the city would lose the sense of objectivity & objective soundness to clamp down businesses with excessive licensing fee so as to render them economic non-feasible, I would have never owned this business.

Just to be misconstrued negatively, I would like to clarify my view, a view that is educated, deliberated and objective because as a philosopher of human nature I find a proper responsible place for adult experiences with their often distorted or twisted interpretation originating from no scientific reasoning but from pure subjective pseudo-moralist bias.

Licensing Committee has done a noble, a needful & responsible job by recognising the need for regulation. H.T.

of human behaviour needs rationalization & regulation.

So having a by-law was an O.K. Move. Having some measured assessment of some fee also forms part of this civic regulation.

What went wrong was really the amount of the licensing fee. A licensing fee could be \$4000.00, or even more as in case of Strip Clubs & Bars because such businesses employ 30 to 100 people & often millions of Dollar is involved. Adult Video Store is not the same ball game. It's a boutique type of business, often run by one person, and only 30 to 40 thousand dollars investment is in question. Such businesses, if licensing fee at all is to be there (thinking from City's & business point of view) it should be ~~at the most~~ ^{no more than} a \$500.00 annual fee.

Anything more than this simply would make a proper & responsible business, like mine and others, in present & future, a highly questionable business proposition. Anything more than this ~~proposed~~ would be unmanageable and extortionate in nature.

Rather than politicising the issue, a much saner approach to the by-law would be to modify the licensing fee with

diminishing the intent of rigorous regulation of the business.

City's Committee responsible for the By-Law, thus, is being earnestly urged to concentrate on its intent of regulation than revenue-creating. Don't misinform me, I am for the by-law, I am also for ~~the~~ a prudent fee assessment. We should regulate the material distribution system and location, we should not make businesses uneconomical to the point that they fold leading some people ~~and~~ unemployed, as it happened by the closure of my two stores. Let us create revenue for the city that is judicious, objective & not punitive. Let us be honest with our conscience & recognise that the assessment fee in this case has gone wrong, has lost its objectivity, has been motivated

Thank you for considering a saner point of view which would justify the image of our great City, which I would not exchange for any other City in Canada, not even for Toronto where way thing goes in the name of dynamism & proliferation.

Sincerely yours
Dr. C. Fatikh

APPENDIX:

The purpose of regulation will be served whether the licencing fee is \$100.00, 400.00, \$500.00, \$2000.00 or \$5000.00. Regulation is the main intent of this by-law. The fee is symbolic part of this by-law. If the fee is not commensurate with the economy of a given business concept, then the payment of fee would always involve delays, non-payments or consequent problems of collection. I think there are good minds in the City Hall to understand this concept clearly, and something will be done soon to modify the required fee to avoid this issue to be debated in Court of law.

Just another clarification: There are more sexual things in boutiques like La Femme, including videos than in an Adult Video Store. Why these Special Interest Group didn't, or do not fuss about these Sex Boutiques in the name of lingerie? Why is there no regulation or a licencing fee for such places? Adult Store is a similar boutique & it should be treated the same way.

Licencing fee issue is very vital issue for the business, I hope some reconsideration will be made soon.

April 14/93

Dear Mr. Dembe,

With ref. to my earnest request regarding giving me enough time to come up with \$2000.00 for the fee, and your letter dated April 14/93, I beg you to submit my views to the manager and authors of this excessive & punitive by-law.

What's the intent of this by-law or any given law?

Is it intended to regulate the proper conduct of the business, at approved location, or extort businesses of their hard-earned money at a time when due to recession people are not able to pay even the rent and the employees, and hence closing the stores creating more & more unemployment in the community?

If it is to protect community interests, it is necessary to regulate those businesses where elderly persons, younger children go for bread, milk and candies, by-law should rigorously regulate them to create a facility for adult material for general public viewing. This should obtain to adult movies in corner stores, variety food stores or any video stores (claiming to be family video stores). Adult video stores have taken utmost precaution to ensure public interest for discretion, they in fact protect those elements of society who for one or the other psychological or pseudo-moral reasons don't want to do anything with adult materials.

Now coming back to licensing of licensing fee by-law, and the need to

See that a given business is not hurt to the extent of closing as the owner of Adult World that is myself, had to do.

Every business responds to serve the genuine need of Community, and no matter who argues in whatever way can create rational blindness to this vital need of responsible human beings, who are stable psychologically to enjoy or use adult materials in normal responsible way. If properly regulated adult stores to serve community, then why a by-law is passed in a spirit of financial intimidation or extortion indirectly by legal means? Required Fee proves the intent of By-Law is not regulation, but extorting money.

Whoever was responsible for assessing the licencing fee has not given due consideration to the need of legislating rules or by-laws with due consideration of reasonable fee. Licencing fee is annual, if I operate my business for 20 years to the time of my retirement, I will have to fork \$40,000.00 to the City, not to mention the rent and other business operational costs. And this is highly unreasonable.

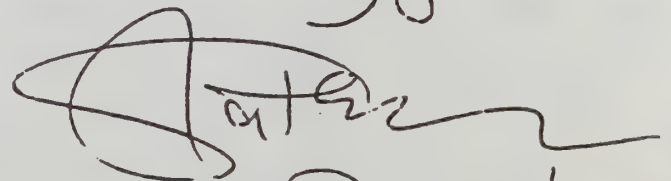
I personally apart from these general principle-considerations have tried to request you that in the midst my proper conduct of business, I putting food on the table, paying property taxes & mortgages, this unstipulated extortive fee is simply unmanageable with a short notice.

With this letter I urge you to do the following:

- ① To motivate the rulers of this City to reconsider a reasonable fee for the licensing & define areas for the business, a licensing fee that is judicious & not punitive or discriminatory and a fee which given allowed business may ~~even~~ afford
- ② Secondly to consider my genuine need for financing help requiring more time to come up with the fee, even if the fee is not revised instantly for this year (modification for the future is needful as required).

Thank you for considering my urgings & presenting my educated view before people responsible in the city's decision-making process.

Sincerely Yours



Dr. C. Pathak

March 15/93

Dear Mrs. Dembre,

I have talked to you on the phone & have expressed my inability to come up with \$2000.00 per location fee right away.

I don't want to debate the objectivity & legality of this Bylaw, since everybody who was responsible in voting for it knows that this bylaw has been a pressurized outcome of listening ~~to~~ one-sidedly to the groundless reasonings of Some Special Interest Groups.

I am Law Graduate & practised Law,
I am Ph.D. in Philosophy & Religion, I have taught in the university, I have published book, called THE PROBLEM OF BEING IN Heidegger, analyzing the human existential structures of being, thinking & speech, I have customers who I have served in 12 years of my experience in Video Business, the oldest in the city, are Drs., Lawyers, business people & ordinary citizens, we are combined together don't view this business the same way as the Bylaw under the sway of Special Interest Groups seems to portray. It's normal human behaviour to use the products ^{served through} responsible Video Stores.

By-law is good to have, but ^{not} at the price of closing the businesses and throwing people into joblessness. Some lady Yacheti was quoted by The Spectator as saying these businesses are "Goldmines". This is not true. I am going

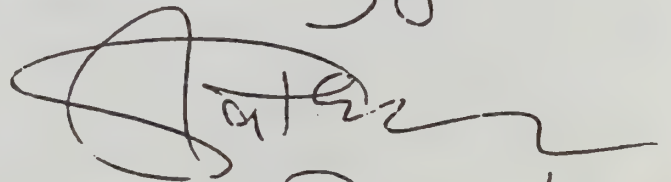
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Campbell to
Sign out April 15th as the closure Date of
7 Greenford Location by Licensing Board

To prove ^{the} lady Yacheta that it is not true
~~that~~ I am going to sell my stores because
they are not "Gold mines", I throw 5
parttime employees out of job because of this
bylaw.

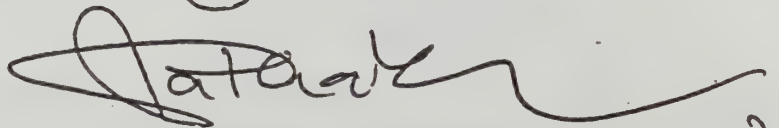
I closed 116 Emerson because it cannot
support the City to the ^{time of} \$160.00 per month, I shall
sell 7 Greenford Location to ^{pay} for the L. Fee
of 212 John St. S. location, the only one
that I can manage under such unreasonable, inco-
derate and Punitive Bylaw.

But to do this restructuring &

downsizing, I need at least 60k
to be able to come up with financing.
I have no financing privileged business
has been staggering badly. I cannot borrow
from banks, either I save or sell the business
either way I request you to give me
time to do so.

Thank you for kindly considering at
this time of deep recession we are in, and allow
me the needed time to arrange the \$2000.00 in fee.

Yours. Sincerely



Note: This By-law needs to be revised, reconsidered
and modified conceding the viewpoint of the
businesses and people that require this service, and
solely the viewpoint of the prudish special groups
in order to be objective & judicious Bylaw.

9.(a.)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 May 3

REPORT TO: Susan K. Reeder
Secretary, Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Dr. C. Pathak - Adult World - Video Store

RECOMMENDATION:

That no action be taken to reduce the current licence fee for Adult Video Stores.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

There would be reduction in the anticipated licence fee revenue of \$8,000.00.

BACKGROUND:

On March 16, 1993, Dr. C. Pathak applied for an Adult Video Store licence at 212 John Street South. The licence fee of \$2,000.00 was not paid at that time and the applicant requested time to pay the fee.

Letters have been sent to Dr. Pathak advising that the application was not valid until the licence fee was paid and cautioning him that charges would be laid. He was further advised to pay the licence fee and that he would be entitled to a refund if the By-law were amended to reduce the fee.

Dr. Pathak had two other Adult Video Stores at 116 Emerson Avenue and 7 Greenford Drive, which are now closed. He has now requested that the matter of the licence fees be reviewed by the Finance and Administration Committee.



CITY COUNCIL
HAMILTON, CANADA

Alderman Fred Eisenberger

71 MAIN STREET WEST L8N 3T4 • (416) 546-2730 • RES: (416) 573-9698 - Ward 5

April 28, 1993

Alderman Don Ross
Chairman
Finance & Administration Committee

10.

Dear Alderman Ross:

RE: LAKELAND POOL AND COMMUNITY CENTRE

I have received a request by The Hamilton East Kiwanis and The Beach/Woodward Neighbourhood Association who wish to appear as a delegation before the next meeting of the Finance and Administration Committee (May 6, 1993).

The group wishes to discuss the Beach Woodward Neighbourhood Association and Hamilton East Kiwanis' efforts to provide a year round recreational facility in the former Lakeland Pool site, as a city wide waterfront attraction as well as an ongoing local community resource.

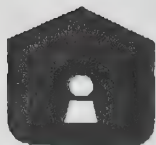
I am enclosing a copy of their proposal for your further information.

Yours truly,

Fred Eisenberger
Alderman, Ward 5

FE:nb

c.c. - Ms. Susan Reeder
Secretary
Finance & Administration Committee

**HAMILTON EAST COMMUNITY SERVICES**

681 Main Street East, Hamilton, Ontario L8M 1K3 • Tel: (416) 545-0545 Fax: (416) 549-9011
Chief Administrative Officer: Bill Bain

March 10, 1993

FACSIMILE TRANSMISSION: 546-2535

Alderman Fred Eisenberger
City of Hamilton
71 Main Street W
Hamilton, Ontario
L8N 3T4

Dear Fred:

Re: Lakeland Pool

Please accept this as our letter of intent regarding operation of the above facility. Under separate cover you have received our joint proposal for operation of Lakeland Pool/Community Centre with the Beach Strip/Woodward Community Council and our specifications on rehabilitation costs to the facility. We are looking forward to working with the City and the residents of the Beach Strip and Woodward communities. If you require additional information please contact me.

Sincerely,


Doug Kay, Director
YOUTH SERVICES

/cn

Karen Davis, Director
Programme Services
(416) 545-4654

Doug Kay, Director
Youth Services
(416) 545-0545

Dennis Wilson, Director
Development
(416) 545-3262

**SPECIFICATIONS:
CONSTRUCTION, LABOUR AND MATERIALS
REQUIRED IN THE REHABILITATION
OF**

**LAKELAND POOL AND COMMUNITY CENTRE
300 VANWAGNER'S BEACH ROAD.
HAMILTON, ONTARIO**

FOR

**HAMILTON EAST KIWANIS
AND
BEACH STRIP/WOODWARD COMMUNITY COUNCIL
681 MAIN ST. EAST
HAMILTON, ONTARIO
L8M 1K3**

March 10, 1993

INTRODUCTION

The proposed Lakeland Pool Community Centre is comprised of over 8500 sq.ft. of floor space. At the present time, we feel that the centre is not being utilized to its full potential. Our intent is to create more floor space to maximize the effectiveness of existing and future programmes.

GENERAL INFORMATION

Presently the Lakeland Pool & Community Centre has accommodations for a kitchen, restaurant and entertainment area. These areas will remain, along with the additions of a games room, 3 programme areas, larger storage area, and a much needed and improved first aid station.

PROCESS

The following cost analysis was broken down into three Phases, which in turn can be performed in parallel with proper labour and supervision.

Phase One - Outside Activity Area

TOT PLAY AREA

A new play structure will be added to allow children from the ages of 4 to 12 to play, while the much older children will have their own senior play area.

BASKETBALL COURT

The installation of a new 100' x 30' asphalt court complete with 4 or 6 basketball areas. Court to be constructed from 6" of granular "A" with 1" HL-3, and 2" HL-8.

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A 25' x 50' grassed court complete with permanent posts and painted lines.

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A near regulation sized concrete court (6' x 50') complete with lines.

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The rest area will be located near to the activity area. Size and location is yet to be determined. This will then allow parents to watch over their children utilizing the different play areas.

Job Costing Schedule - Phase One

Tot Play Area	\$ 5,500.00
Basketball Court	7,600.00
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Shuffleboard	7,000.00
Rest Area	<u>4,500.00</u>
TOTAL	<u>\$25,100.00</u>

Phase Two - Exterior Building Upgrading

GREEN AREA

This green space will give the Lakeland Community Centre a more inviting and presentable street appearance by incorporating flower beds, trees and a major cleanup of all overgrown foliage in the area.

LIGHTING

Currently we feel that the lighting surrounding the grounds is inadequate for it's proposed use. With the upgrading of existing fixtures, installing new fixtures, and lighting up all play areas the centre can now be used to a greater extent. This also means the possibility of installing a ice rink now that sufficient lighting is available.

POOL

As a yearly maintenance expense the pool must be painted to stop the formation of any type of bacteria.

POOL DECK

Due to the severe lifting and cracking of the pool deck our only viable option would be to cover the concrete deck with a durable indoor outdoor artificial type carpet. This will enhance the pools appearance, while at the same time giving a greater lounging area.

SIDING

Due to the deterioration of the fascia on the building we decided that a vinyl siding on the top 4' of the building fascia will give an attractive finish to the building.

PAINTING

Currently the building is painted and textured in numerous colours. We purpose a repair of the exterior walls as required and a prime and paint finish to coordinate with Hamilton Conservation area blue.

Job Costing Schedule - Phase Two

Green Area	\$ 6,000.00
Lighting	5,000.00
Pool	6,000.00
Pool Deck	8,000.00
Siding	5,000.00
Painting	<u>700.00</u>
TOTAL	<u>\$30,700.00</u>

Phase Three - Interior Upgrading

ELECTRICAL

Utilizing existing panels, wiring and outlets, throughout the building and depending upon application, We deem it necessary to relocate and upgrade depending upon application. The installation of new light fixtures, fire safety equipment and exit signs will bring an attractive appearance to the building while meeting today's current safety standards.

PLUMBING

Since the plumbing system seems to be in fairly good working order, allocations have been made for the upgrading of fixtures, toilets and sinks.

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Utilizing a section of the existing heating system while implementing a new infrared heating unit, the centre will now be able to run year round.

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An air conditioning unit will be installed to cool 5000 of the 8500 sq.ft.

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Due to the inconsistency and colour of the existing ceiling tiles, removal and replacement of all areas is allocated with a new asbestos free tile.

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The existing interior colour scheme(white with black trim) will be replaced with white and green trim.

FLOORING

Due to the tremendous expense of removing and replacing the existing flooring we feel that a good carpet cleaning and a resealing/re-waxing of all tile flooring should bring the floors back to a presentable finish.

MISCELLANEOUS

The following items are also scheduled to be replaced:

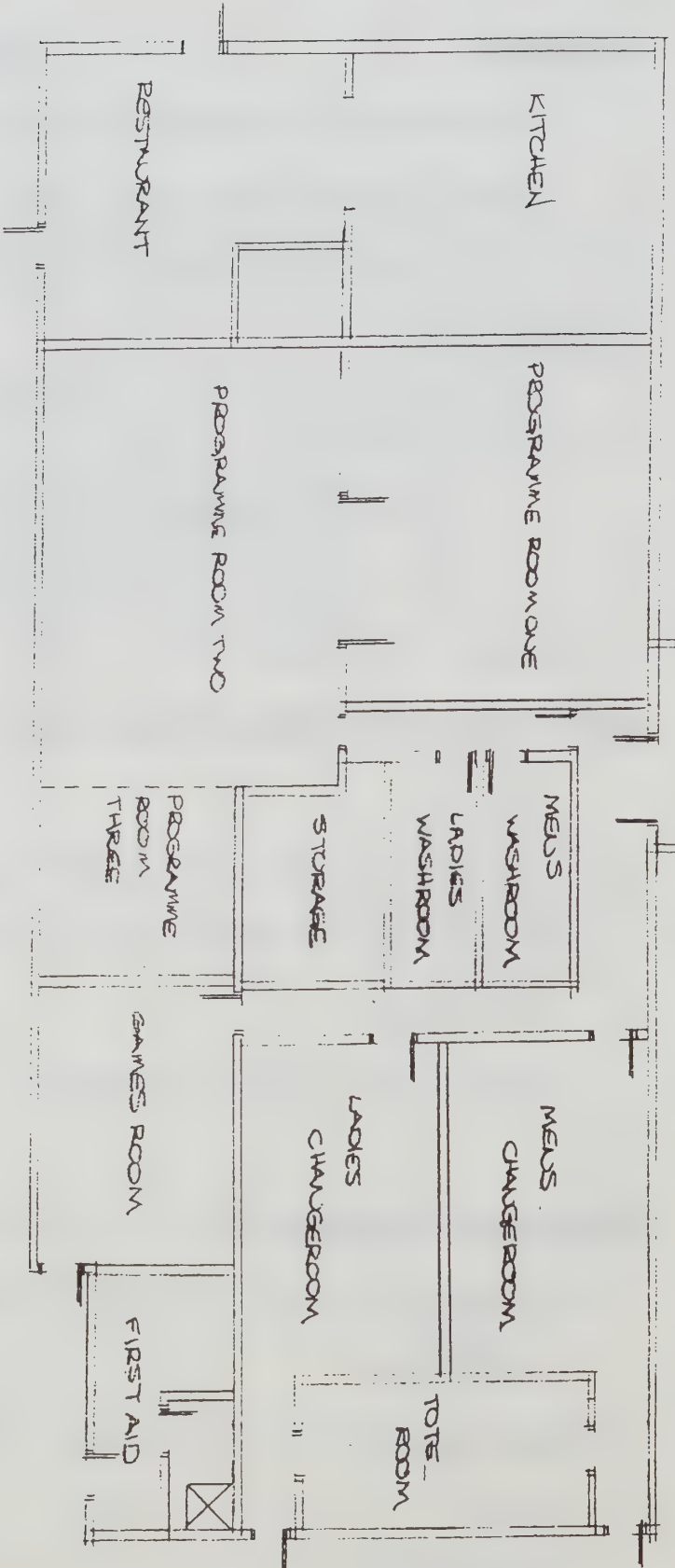
- 1) install sufficient lighting and venting in public washrooms;
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- 3) provide mirrors in washrooms;
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- 5) replace exterior windows as necessary.

Job Costing Schedule - Phase Three

Electrical	\$ 3,500.00
Plumbing	7,000.00
Heating	15,000.00
Air conditioning	10,000.00
Ceiling Tiles	5,000.00
Flooring	3,000.00
Miscellaneous	<u>3,000.00</u>
TOTAL	<u>\$42,500.00</u>

CONTRACT AMOUNT

Phase One	\$ 25,100.00
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SUB TOTAL	\$ 98,300.00
G.S.T.	<u>6,881.00</u>
GRAND TOTAL	<u>\$105,181.00</u>



FRONT ELEVATION

**LAKELAND POOL
REHABILITATION BUDGET**

Submitted by Hamilton East Kiwanis
March 24, 1993

Estimated Capital Repair Costs	\$127,000
less Hamilton East Kiwanis contribution	<u>8,900</u>
	118,100
less Woodward/Beach Strip Community contribution	<u>8,919</u>
Capital Contribution requested*	<u>\$109,181</u>

Kiwanis contribution includes:

- contract administration
- site supervision
- clerical support
- finance administration

Woodward/Beach Strip Community contribution includes:

- labour
 - painting
 - cleaning
 - garbage removal
 - final clean up
 - carpet cleaning
 - floor waxing
 - general labour
 - minor electrical
 - minor plumbing
 - landscape labour
- on-going fund raising (additional \$20,000 to complete programming)

* Please note, the total capital contribution has increased by \$4,000 as there was an addition error on the original submission.

CITY OF HAMILTON

- INFORMATION -

10(a.)

DATE: 1993 May 3

REPORT TO: Susan K. Reeder, Secretary
Finance and Administration Committee

FROM: J.G. Pavelka, P. Eng.
Chief Administrative Officer

SUBJECT: Lakeland Pool and Community Centre

Alderman F. Eisenberger presented the attached proposal from the Hamilton East Community Services organization and requested that this matter be forwarded to the Finance and Administration Committee so that he could bring in a delegation to address this matter.

BACKGROUND:

The Beach Strip and Woodward Avenue Communities, in concert with Hamilton East Community Services, are proposing to take over and manage the operation of the Lakeland Pool/Community Centre to meet the recreational needs of the local neighbourhood in the north-east part of Hamilton and to service the needs of the regional community as are some of the other amenities, such as Adventureland, the Go Kart operation and Confederation Park.

Due to the absence of swimming pools and recreational facilities in the neighbourhoods, the Beach Strip and Woodward Avenue Neighbourhood Communities along with the Hamilton East Community Services Organization are putting forth the attached proposal to provide some recreational facilities in the area.

FINANCIAL IMPLICATIONS:

To provide these recreational services a capital grant of \$105,181 is being requested.

Approved in the 1994 Capital Budget is an appropriation of \$500,000 which if drawn upon would not alter the City's debt parameters or funding allocation.

Responsibility to Fund

Discussions with the Region of Hamilton-Wentworth and the Hamilton Conservation Authority confirm that because this proposal deals with meeting recreational needs, the matter of any financing should be considered by the City of Hamilton as it is the jurisdiction dealing with the recreational amenities in the community.

The Lakeland Pool and Community Centre are existing amenities and the proposal is to upgrade and enhance these facilities to attract local and regional users. The \$105,181. in capital funding will upgrade the existing building and create additional amenities in order to make this centre an attractive destination to local and regional users.

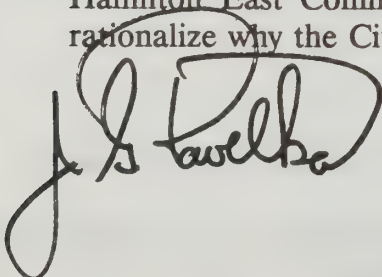
If it is decided to provide these recreational amenities for this area, there are two advantages to consider the existing pool and community centre:

1. There is an existing asset value for the existing facilities and the City would not be faced with building new amenities.
2. If successful, Hamilton East Community Services will provide 100% of the operating cost to maintain these facilities.

Lakeland Pool is within the jurisdiction area of the Region of the Hamilton Conservation Authority - Confederation Park. Therefore the City will not have control over any of the existing or new recreational amenities if there is any expenditure of City money.

Up to and including 1990 the City of Hamilton has had a Purchase of Service Agreement for public use of Lakeland Pool for an annual cost of approximately \$30,000.

Even though Lakeland Pool is within the Conservation Authority's normal jurisdiction, and recognizing that the City of Hamilton has wanted to maintain some recreational amenities in this location, if there is substantial capital and operating funding committed to by Hamilton East Community Services, there may be a business case scenario made to rationalize why the City of Hamilton should consider such a proposition.



cc: M. Carson, Chief Administrative Officer, Hamilton-Wentworth Region
B. Vanderbrug, General Manager, Hamilton Region Conservation Authority
R. Sugden, Director of Culture and Recreation
A. Ross, Treasurer

**HAMILTON EAST COMMUNITY SERVICES**

681 Main Street East, Hamilton, Ontario L8M 1K3 • Tel: (416) 545-0545 Fax: (416) 549-9011
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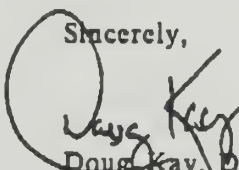
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TOWN OF GERALDTON

Motion No. 93- 098April 13, 1993

Moved by

Seconded by

THAT:

WHEREAS the Corporation of the Town of Geraldton did not give the Association of Municipalities of Ontario (A.M.O.) the mandate to negotiate on behalf of the Town with the Government of Ontario on financial matters that may impact on the Town of Geraldton;

AND WHEREAS A.M.O. has not requested the approval of the Town of Geraldton to negotiate a "Social Contract" with the Premier and Government of Ontario;

THEREFORE BE IT RESOLVED That Premier Rae and A.M.O. be informed that the Town of Geraldton does not agree with A.M.O. negotiating a "Social Contract" on its behalf;

AND FURTHER That municipalities in the Province of Ontario be contacted to request their support of the Town of Geraldton's position and that they so inform Premier Rae and A.M.O.

Carried



Defeated


Signature of Mayor or Chairman

**SPECIFICATIONS:
CONSTRUCTION, LABOUR AND MATERIALS
REQUIRED IN THE REHABILITATION
OF**

**LAKELAND POOL AND COMMUNITY CENTRE
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FOR

**HAMILTON EAST KIWANIS
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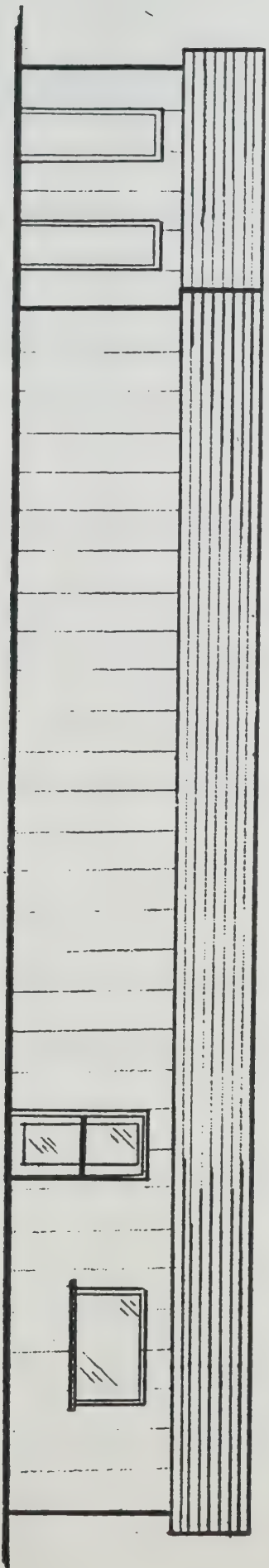
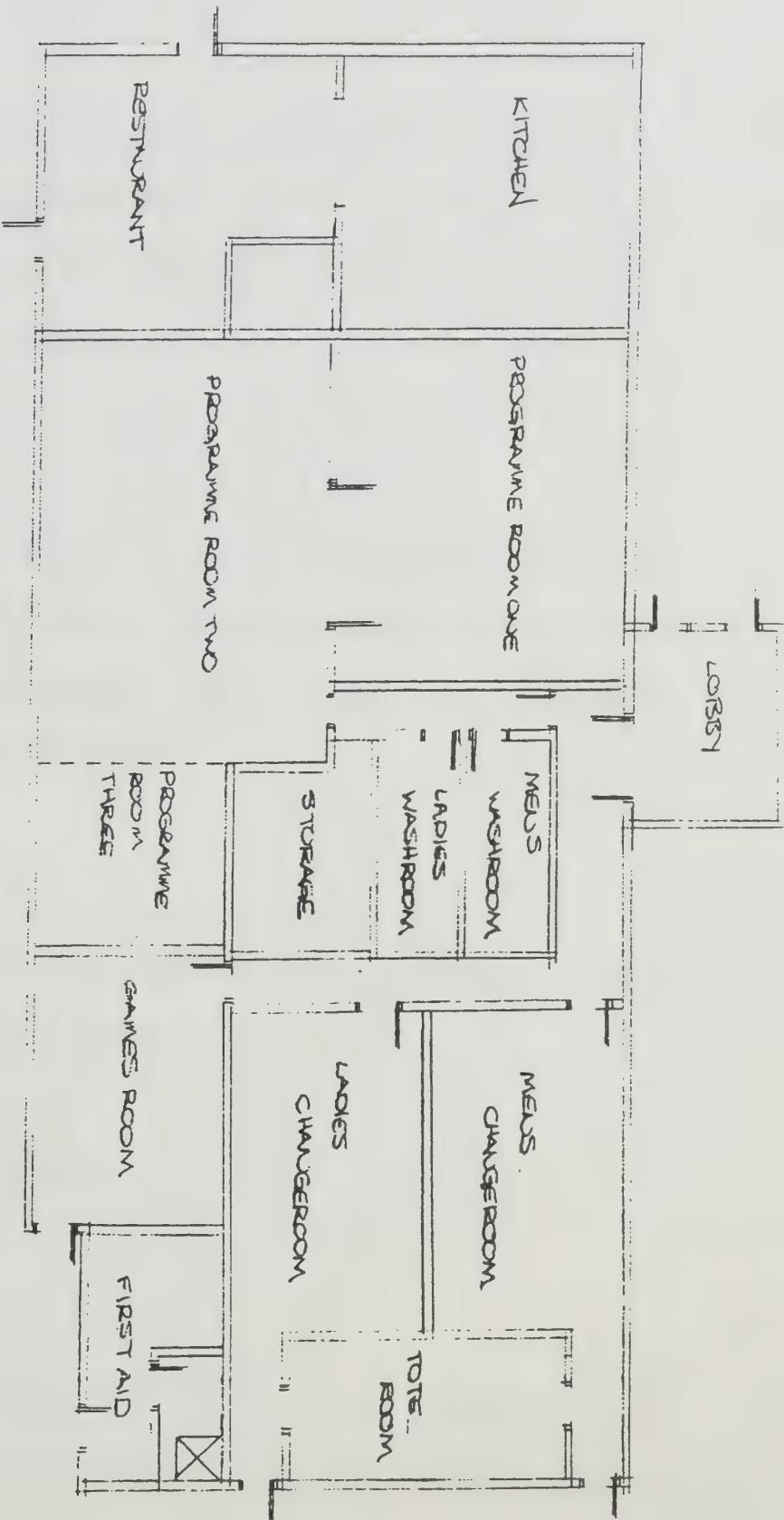
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HAMILTON PUBLIC LIBRARY



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